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A HERMENEUTIC JOURNEY INTO A SPOUSAL HOMICIDE AND ITS AFTERMATH

BY

SHEILA ANNE DAVIDSON

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OF DOCTOR OF PHILOSOPHY

IN

COUNSELLING PSYCHOLOGY

DEPARTMENT OF EDUCATIONAL PSYCHOLOGY

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To My Father

On the night before he died, my father held my hand in his and said to me: "A thousand words cannot express what I want to say." He taught me that words can never tell the whole story. He also taught me that one can hear without seeing what makes the sound, that there is much that we see that we don't know we see, and we feel much without understanding what it is we feel. I still feel his hand in mine as he showed me that it is my self that holds my life, and mystery is as much a part of being me as is knowing me. It is what makes life interesting and meaningful. I continue to hear the sound of his voice without seeing what makes the sound. His life goes on in me and the many others whom he touched that I know and I don't know. I dedicate this tiny piece of my effort to my father who lived his life with the courage of being true to himself -- both in the way he revealed himself and in the way he remained a mystery.

Abstract

This study pursues the question: *What is the experience of spousal homicide and its aftermath as lived by the accused?* Attention is given to the way that the accuseds are effectively separated off from meaningful engagement within the self-reflection of the broader community. This study attempts to show that through a hermeneutic attitude of inquiry an understanding can emerge of this event that reveals the essential belongingness that we as humans have to the lived experience.

The study has five aspects. The first is an exploration and critique of traditional research orientations and current findings. It is proposed that conventional methodologies fail to address the meaning of spousal homicide and its aftermath as a "living" experience in the world of the accused and in our shared world. The second is an examination of the nature of human understanding as traced through the rise of the hermeneutic tradition in the works of Freidrich Schleiermacher, Wilhelm Dilthey, Martin Heidegger, and Hans-Georg Gadamer. The third is an explanation as to how the insights of hermeneutic philosophy provide the context of approach that guide this investigation. The fourth is the metaphorical reconstruction of conversations between the investigator and an individual who killed his wife and was subsequently convicted of her murder. The reconstruction tries to attend to ethical and hermeneutic considerations and is the foundation and substance of the author's interpretation. The fifth aspect then is the hermeneutic writing wherein the investigator offers her depiction of this experience as it evolved hermeneutically. Three clusters of ideas are presented as they flow into, out of and through each other: "the consistent/inconsistent voice," "the resistant voice," and "the persistent voice." This facet represents the author's interpretive understanding of spousal homicide and its aftermath as told by the accused and heard by herself. In its incompleteness it is also the invitation for others to become linked in the conversation.

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Behind this dissertation lies immeasurable support of many to whom the merit of this study should be returned. I have been helped by the encouragement and example of colleagues, friends, and family during the course of this research. I wish to acknowledge some of them here.

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And my family ... I am especially grateful to my mother for her encouragement and enthusiasm. So often I was unable to "be" there for her when I wanted to be. As always, she set her needs aside and made herself available to me. Her fortitude and resourcefulness, and her never-ending desire to keep learning, have penetrated much of this writing and of course, have deeply influenced my "being" in this world. She exemplifies the courage of facing life's challenges, as joyful and painful as they may be, and the strength that can come with being open to unfolding understanding of one's self and others. She and I continue to come to know each other in new and special ways.

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Prologue: The Originating Horizon

This study can be described as a journey, one excursion in my life travels. However, as with any place visited, there are many ways to get there, some direct and some indirect. Once there, there are many paths to explore and surfaces to scratch. Where the traveller goes can be pre-planned from the comfort of a favorite armchair on home ground with the aid of travel agents and others, but what the traveller sees and finds will be quite unique, not contained exactly in any travel guidebooks. When the traveller returns to sit and reflect back on her experience from her once familiar armchair she will find new vistas. She may sit somewhat differently, contemplating from a new posture, remembering fresh and novel sceneries, and seeing old scenery anew. She may also be aware of the many avenues that weren't walked and the many corners that weren't turned, the opportunities that weren't taken while away in foreign country. But the spirit of adventure is stirred for further exploration, and on her continuing travels she will start from a different place and come to new destinations.

This journey was embarked upon as a search for an understanding of one man's life experience of spousal homicide and its aftermath. My journey of encounter with this man began in the context of my own experiences of birth and death, living and dying, and the many entangling emotions. It was from this armchair that I set forth to visit this man's territory in search of knowledge that would help me understand the experience of spousal homicide and its aftermath -- a part of this man's lived-experience and thus a part of man's existence. The vehicle for travel was language, complete with its safety features as well as its hazards, and there was always an awareness that a good traveller needs flexibility and a willingness to change direction.

So I, the traveller, returned with a log of experiences, thoughts, and feelings, many of which are contained within these pages and many of which are notable in their absence, because we can never exhaust our descriptions nor be complete in our translations and interpretations. This is one person's journal of her travels. It is not presented as a definitive description that would fit everyone's experience. It is my experience as it met the experience of one man during conversations that were part of this particular journey at this particular time in this traveller's life.

Plans for this journey began unexpectedly. Scanning my map for potential travel, I did not pinpoint "spousal murder" as a destination. At the time, I was travelling a careful course hoping to arrive at the healthy birth of my son. In some ways I was in limbo, travelling the sea of uncertainty but with a clear destination in mind. My previous experiences had taught me that one needs to be flexible, willing to take detours that can actually open unexpected possibilities, but this particular alternate route at first seemed to be too contrary to my intentions and perhaps too disruptive. Why enter a storm when one is hoping for a tranquil sea? But a storm often comes unexpectedly, without a plan, and though it may be avoided it can also test and uncover new navigational skills. It was only with deep concern and reflection that I allowed myself to open my eyes to another penetrating reality. Simultaneously with my human voyage into giving birth, another human being had voyaged into the death of a family member at his own hand. The apparent contrast was bridged by the common ground of intense emotion that directs so much of our actions. However, for this traveller, speculation into the power of emotion that could direct such violent behavior was somehow incomprehensible and the temptation to reject its possibility was pronounced. But denying its potential was also to reject a part of self, abhorrent as that part seemed on the surface. And so, I began to make plans to journey below the surface and search for some understanding.

The planning aspect was interrupted by numerous factors. I was absorbed in my practical world of nurturing the health of the unborn and the welfare of my two and one-half year old daughter. I was immersed in "life-giving" events. How were these to merge with so grim a reality as spousal murder? A time of distance was offered by these practical distractions -- a healthy son was born and a new family constellation was taking shape, demanding its adjustments. It was easy to postpone my travels to the land of the accused, in fact his existence was easy to ignore. I had not abandoned my plans for taking the voyage but there seemed so many other places to be, incompatible with the preparations I felt were necessary before I could really begin. But I had already begun, my journey launched in my thoughts, my readings, and my exposure to this man's personal legal battles. The dictates of the university system also nudged me out of my procrastinations, a proposal was written, a candidacy faced and an office rented. In the confines of my office I tried to uncover and understand the thoughts and feelings I held before entering into a hermeneutic encounter with the accused. Thoughts of fresh discoveries I had witnessed in my young children as they had eagerly but tentatively explored the beaches of their summer vacation from a background of sandboxes and wading pools led me to know that however I encountered the accused I would come with my own history and expectations. However, articulating what those might be was a major struggle leaving me with a feeling of being empty with respect to my attitude towards this man and his circumstances.

The first arranged meeting with the accused required communication with his place of incarceration, clearance and permission, a time and date set. . . this meeting was cancelled.

An unexpected and very sad detour was essential. I was to visit my father for the last time before he was to die in hospital. My father who was so much of my inspiration for this particular journey in his example of persistence, his belief in learning and openness to gaining new insights through exposure to a variety of experiences; his regard for fellow human beings as total persons embedded in unique but common worlds that need to be explored for life to elaborate its meanings; his view of life as filled with questions but very few answers; his sense that, even so, the quality of life could be improved by the nature of our questioning, and an appreciation of our own limits of knowledge, that our own incompleteness could prompt worthwhile and noble pursuits for more enlightened questions and fresh perspectives. As my father could never exhaust the potential of his existence, nor can I exhaust the gifts that he gave me in my own "being" in this world. He shared his understanding that words are only symbols of our feelings and experience but that they carry us together and connect us on our ultimately lonely and mysterious life journeys.

And so, the initial question that took me, the writer, towards this destination of understanding began in the midst of joyful anticipation of the birth of my son -- an affirmation of life, and continued in the pain and grief of the loss of my father -- an affirmation of death. As I entered into dialogue with the accused I was no longer feeling at a distance from my own emotions but was immersed in their power, as I presumed too was the accused, although he may also have found times when he had to stand back. I was prepared to take a journey with this man wherever it would lead. I once wondered how life can go on after such crises and I now was experiencing that it does go on, inside me and around me, as does life for the accused. He has displayed our potential for taking a physical life but it may be that it is impossible to really take life away or for life to disappear. Breathing may stop but the impact of a life would seem to be inextinguishable.

I. Introduction

The Question of this Study

The untimely unnatural termination of any human life by another is a challenge and a threat to the basic moral and ethical values which form the bedrock of what we choose to call our "human and humanitarian society." Our sensibilities are even more affronted when one of our basic institutions -- marriage -- is the venue of such an event.

In this dissertation the question is asked: What does it mean to a man to have killed his wife? The author seeks to explore the experience of an individual who has been convicted of murdering his wife. The exploration does not necessarily gain its intrigue because it unravels the experience of an extra-ordinary man but on the contrary. It is luring in its portrayal of this man as a man that could be any man in the crowd. Certainly he is unique as all individuals are unique, but his life cannot be considered uncommon, unusual, or abnormal. In fact, it is perhaps its "commonness" that most arouses interest and curiosity in that it elucidates any individual's potential to do the "unthinkable," or that which one does not believe oneself to be capable of.

An interest in spousal homicide and its aftermath is therefore not independent from our interest in establishing for ourselves who we are as human beings. In our preferred view of self as rational, moral, and civilized it seems beyond comprehension that anyone could find him or herself the accused in such a drama. However, this could be anyone's story. It is ultimately not about the accused himself but about our attitude towards a fuller understanding of human "being."

The Question as a Life Event

From a common-sense perspective, we come to manifest and control emotion in accordance with experience and self-view. The context and circumstances of life events contribute to the congruency of self-expectations and behavioral expressions. The past provides an opportunity for developing a repertoire of responses fitting to our view of self (actually and ideally) and these become a reference for behavior in present and future circumstances.

Life events, in and of themselves, can be considered usual or unusual. Some events are considered a natural part of life's sequence while others are unexpected and traumatic. Some events may seem to be beyond one's control while others are considered to be an individual's choice. Some events are socially sanctioned while others are condemned. Whatever is held in one's past is carried into the future, and we are therefore forced to reconcile the past with the present. We carry an image of self garnered through experience. This image evolves gradually as life cycles revolve. As a person faces each day a look in the mirror carries with it an expectation of what one will see through accumulated experience of seeing oneself. However, in the face of stress and crisis an individual may find a side of self emerge that is incoherent with socially and self-sanctioned behavior.

Crises signify the unexpected, the unrehearsed events of life. They strike with a lance that threatens all our assumptions. Crises are unique. We will all know them and know them in ways that are singularly painful to us. We are never prepared. What makes crises unique is the convergence of the panoply of biological, psycho-historical, social and existential parameters that constrain each of us. We may try to defend ourselves against our own vulnerability by believing "it can never happen to me," or by learning through the experience of others. Potentially crises can lead to new awarenesses, sensitivities, and understandings that become part of the past, present, and future sense of self.

The Context of the Question

The death of a spouse is a crisis. When one is the perpetrator of the death of that spouse the consequences are catastrophic. Most crises draw the sympathy and support of family, friends, and community. However, when the crisis seems self-inflicted and with tragic and irreversible results, the perpetrator is rejected -- ostracized.

The bombardment of dramatic changes in status and life circumstances of an accused murderer is difficult to comprehend. The process of grief and adjustment would seem to be largely unattended. Society's established laws and moral principles are primary while the offenders' personal experiences are secondary. The person is dealt with according to the law. The legal system accommodates a real and soothing expansion of the gaps between "us" and "them." The multi-dimensions of the individual are reduced to a single label in accordance with the legal charge: murderer. It is possible to lose sight of the experience as it lives for the accused.

The propensity and opportunity for the accused to develop insight and understanding into his emotions and behavior is facilitated largely according to the concern and sensitivity of his lawyer. The lawyer, however, is motivated in large part by the relevance of issues to defence arguments. Psychological investigations are generally arranged for the purpose of assessment related to fitness to stand trial and to intent regarding the criminal action. The direction of legal inquiry is largely retrospective and factual, designed to assist the court's judgement rather than address the accused's ongoing experience.

A review of the literature also reveals an absence of inquiry into the felt and on-going experience of the accused. Furthermore, the dominant traditions of research assist in the tendency to isolate the accused outside the mainstream of existence by accommodating the lacuna between the investigators and the investigated. Emphasis is given to objectivity. Theories and hypotheses are formulated from external perspectives. Causes and correlates are sought. Findings offer descriptions of the offenders but these are not put into the context of their disclosure -- the shared world of experience.

Even if violent behavior can be attributed to abnormal psychological adjustment, dysfunctional marital/family dynamics, and/or a deviant socio-cultural milieu, the aftermath of spousal homicide presumably disrupts the perpetrator's sense of self and morality. How does the individual cope with the plethora of emotion that consumes his being after the event? How does he cope with the ultimate ending of his marital relationship and the eruption of his private problems into the public domain? How does he cope with the collapse of a lifestyle and removal of his freedoms and choices? How does he cope with dependency upon an impersonal justice and penal system? It would seem that society prefers to ignore these questions. To ponder these thoughts at all brings ourselves into the experience.

The theorizing about marital violence at times advocates that offenders should be freed from previous misconceptions concerning their natures. The questioning of what it means to understand the offender is considered to be fresh. But when theory is taken as a new absolute wisdom, then the originating sensitivity which made innovative theories possible is lost. Furthermore, if others' interpretations of offenders are taken as statements of the "true being" of the offender, then the offenders have lost their power to make a difference in our reflecting about them. We have shut them out from our experience, or perhaps more accurately, locked them into our experience in such a way that they have no voice apart from what we grant them.

The Significance of the Question

The phenomenon of spousal homicide is a veritable labyrinth of human emotions. It should be attended to not only for the purpose of preventing human suffering and loss of life but also to expand knowledge of our potential, both destructive and constructive, in our relations with self and others. Its understanding is sought not to reveal its aberrancy, but to accomplish an attitude towards a fuller understanding of human being. Towards this end, my objective in asking the question of this research was to facilitate one man's willingness and capacity to explore and share his personal experience of spousal homicide and its aftermath.

In this endeavor, one of my own fundamental biases is revealed. I believe we cannot just live with this man as a villain or a tragic figure in or out of our midst.

Our apathy becomes his apathy. His failure to understand and communicate what he has gone through perpetuates the pointlessness and tragedy of the event and our "ignore-ance" becomes a party to it. A life has been taken but in its taking perhaps something can be offered and meaning can be found.

The Intent of this Study

This dissertation emerges out of these issues. It was out of the knowledge of not knowing that I was propelled to seek an answer to the query: What does it mean to a man to have killed his wife and to now be dealing with the consequences? I wanted to return to the experience of spousal homicide and its aftermath as the source of knowing what that experience is. I wanted to explore this event with a man accused of murdering his wife. Through this exploration, I wished to describe this experience and unfold its meaning. I hoped to enliven the accused's understanding of what it means to live this event and to locate that understanding in an appreciation of what "understanding" is in itself, namely a creative dialogue in which one's past, present, and future in the world with others is in perpetual conversation. To be motivated in this way led me to the tradition that speaks directly to this objective. That is the tradition of hermeneutics.

From a hermeneutic stance, to be human is to search for understanding of what it is to be human. To be engaged hermeneutically in any search for understanding requires not only a hearing of what it is that people say about their concerns and experiences but also an understanding as to how one could possibly understand what it is they are saying in the first place. This is the abiding interest of hermeneutics. Hermeneutic inquiry is concerned most essentially with a bringing to language that which lies hidden in human experience -- the voice that reaches out and unites man with each other. It is to be engaged in a living dialogue with all those -- past and present -- whose voices, though perhaps strange and alien, resonate with and echo our own voices in whatever circumstances serve as the context of our sense-making. The fulfillment of the hermeneutic project is to discern that which is spoken through speech and make it speak again as a new voice reverberating beyond its specificity as it resounds in the conversation of humankind. My desire in this investigation was to show hermeneutics as a mode of understanding and an art of interpretation as it can point to new possibilities for opening what lies at the heart of human experience in the world, in this case the experience of spousal homicide and its aftermath.

In the hermeneutic investigation where language is the heart of expression, understanding emerges through the process of speaking. Being in language is a coming to know one's experience. Thus, it was through dialogical encounters that I believed the two distinct horizons of myself and the accused could meet and mutually transform. In a hermeneutic dialogue I anticipated that aspects of the experience could be brought to new consciousness, allowing movement from unawareness to awareness. A previously half-articulated sense could come more clearly and fully into view. A hermeneutic approach seemed to offer possibilities for engaging the accused in a critical reflection of his own experience of spousal homicide.

The hermeneutic encounter between the accused and myself was not to be intended as a means for the accused to get better, to prove innocence, to gain sympathy, or to find excuse. It was not to be an effort to justify behavior to the community or to present sensational details for financial profit. It was to go beyond the coherent face of the accused. It was the extension of his inward focus outward. It was to signify his agreement to give of himself for my understanding and interpretation. It was to be a process with unknown results for the participants.

The Investigator's Horizon

In keeping with the hermeneutic paradigm, conversation between the investigator and the accused was not to be an exchange of information but a construction of understanding and a building of meanings derived from the histories of both and the dynamics of their encounter. Like all genuine dialogue the hermeneutical encounter was to involve an active reciprocity. The exchange was to be a generation of thought, ideas, and symbols carrying individual significance for the two explorers who were inevitably in new territory if they were to be open to awareness. I was prepared to move beyond my original horizon into a process of inquiry with a life of its own, filled with unanticipated and unintended developments. I may have had an idea of what I wanted to explore and some preconceived notions of what I expected to find but I was more interested in opening myself to a new creation that could arise from the uniqueness of the accused and myself in interaction.

The journey for investigation was born from a question: What is the experience of spousal homicide and its aftermath? Questions inevitably arise out of a particular context, a certain half-knowing which in turn moderates the question's direction. This question came to press itself at a time and place in my world when deep feelings and thoughts overflowed about family; birth and death; living and dying; life behind and life ahead. The "family" themes intrinsic to the topic of inquiry for this study thus coincided with many "critical" family experiences of the author as I have written about in the Prologue. I acknowledge this as the horizon that is the background to the question and that could not help but be incorporated into the landscape on the course that this inquiry ultimately followed.

Pursuing the Question: The Facets of this Study

The nature of the question posed in this study is such that it seeks deeper understanding of the meaning of spousal homicide and its aftermath as a lived event. It searches the experience of an individual who killed his wife and was subsequently convicted of her murder. It looks for insight into this man's being-in-the-world, his embeddedness in the world in the aftermath of his violent behavior. The starting point is neither theory nor ideology, but a man's experience. It asks for the subjective meaning of spousal homicide within the context of a social-legal community which has deemed this man's behavior as inexcusable, unjustifiable and punishable by law. The focus is on the actual experience of the accused -- how he acts and reacts, what he feels and perceives; the comfort and pain, the ease and difficulty, the hope and despair; the changes and continuities of his everyday being-in-the-world. It attempts to show how living this event most fundamentally takes the form of a dialogue, in which the horizons of the listener and the teller become linked in eternal conversation.

This study has five basic thrusts. In the first, a critique of traditional research orientations is offered (Chapter II). I explore other researcher's approaches and findings into the subject of violent marriages and spousal killing. Attention is given to the way that the question of ontological meaning is eclipsed in the dominant traditions of research into spousal violence/murder such that reflection about spousal murder has become separated off from actual lived experience. The relevancy and legitimacy of the question pursued in this study is addressed within the context of the literature review. I address the queries: "For whom is this a question?" "Why does this question need to be asked anyway?" The argument is made that the positivistic origins of the field essentially render the accuseds as objects, suitable for scientific investigation and social manipulation perhaps, but cut off from any necessary connection with the broader community.

Secondly, I raise the question of the nature of human understanding as a prelude to asking what it could mean to claim an understanding of spousal homicide and its aftermath. In Chapter III, I trace the emergence of the hermeneutic tradition as the philosophical exploration of what it means to "understand." My intention is to show what the genesis of the central issues in interpretive social science research are for me and how they thus motivate this research. I present my understanding of the insights of four of the seminal figures: Schleiermacher, Dilthey, Heidegger and Gadamer, as their works held meaning for me in the context of this investigation.

My third interest is to disclose how the hermeneutic tradition bears specifically on the conduct and interpretation of this research. In Chapter IV, I specify how my understanding of hermeneutics offered the principles and guidelines for the mode of inquiry that I took in my pursuit towards deeper understanding of spousal homicide and its aftermath. The nature of human questioning and conversation is explored. I suggest the process chartered by my understanding of "understanding." The process acknowledges the participatory aspect of coming to new insights. It allows for the exploration of this event without objectifying the co-participant; without drawing lines of separation between questioner and her "expertise," and the accused and his experience. Rather it values the conversationalists, their individual histories and their common humanity. It values "not knowing" on the part of the questioner, an openness and humbleness in the face of what is revealed. It acknowledges the contribution of both the investigator and the accused in the resulting "new understanding." And its medium is that of dialogue such that it values language and conversation -- person-to-person -- the very vehicle of man's re-creation of the world.

These perspectives lead to the fourth aspect of the investigation which is the conversations themselves. Chapter V contains conversations shared with an individual accused of murdering his wife. The conversations have been edited and then reconstructed as a form of narrative text from which to show forms of ontological disclosure apparent within the speaking. The organization and presentation of this chapter tries to attend to two important considerations. The first is the moral and ethical responsibility inherent in an undertaking such as this. Because of the personal nature of this inquiry into the life-world of the accused and therefore the life-world of those personally involved with him, ethical concerns were carefully weighed. The co-participant opened intimate chambers of his soul and spoke in trust that in his disclosure the integrity of his purpose in sharing would be maintained. In my reconstruction, I have accordingly tried to protect his confidentiality by eliminating and/or obscuring identifying references. However, it should be noted that this concern was not straight-forward. The accused was prepared that in his telling he might be telling who he was, and in some ways this was his desire for he had been spoken of and had been revealed through the interests and processes of others throughout this experience (including public transcripts of the trial) -- his own voice often lost. Therefore, an equal priority in my presentation of the "data" was the inclusion of numerous quotations to coincide with my desire to portray, acknowledge and value the timbre of this man and to permit his spirit to speak for itself in these pages.

The second consideration in presenting the conversational data as a reconstruction relates to the hermeneutical intent of this study, that is, to identify the essence of the original speaking and to make it "speak again" in present circumstances. Through rearranging and editing the conversations around what I discerned to be this man's metaphor and intertwining my commentary, I have tried to be faithful to the overall mood and direction of the original conversation and reveal the underlying passions and preoccupations apparent within the speaking.

The fifth facet of this study (Chapter VI) is my attempt at the "art of hermeneutic writing" wherein I have tried to take these conversations beyond their specificity so that they can be made to speak again in a new way within the conversation of humankind. I have tried to draw from the ideational character of speaking and show what it is that is spoken through the speech. As a poetic, that is, the expression and embodiment of the qualities and spirit of this event, it is presented explicitly as one-sided. It is my interpretation of how the words speak beyond themselves. It portrays the fusing of my horizon with the horizon of the accused -- the vision of man's being-in-the-world that this journey unfolded for myself. And, in its inherent one-sidedness, it is also my invitation for others to become engaged dialogically in that of which it speaks.

II. Exploring Past Research on Spousal Violence

In exploring the literature, I was ever reminded that events I have lived in and through have both met with and departed from the intellectual and theoretical insights I held before living the actual experience. These prior understandings, with their attached expectations, have undoubtedly qualified and filtered through the experience, interpretation and understanding of these events. However, the "happening" and impact of understanding has been felt more in actual participation and encounter with experience rather than through speculation and anticipation.

Discussion of marital violence and/or homicide in current research literature has emerged, by and large, from a world view rooted in empirical, positivist science. In general, the interest has been one of a search for objective knowledge about violent marital relationships and the accused perpetrators, as these occur in some sort of grand isolation and exist as some sort of "unique species" in relation to others. From a positivist perspective, what makes the field of marital violence study possible is a view of the accused as "accused," that is, separate and distinct in some way from other individuals, and a belief in the possibility of knowledge about the offenders and their crime that somehow does not reflect anything about those for whom it is knowledge. By extolling the virtues of strictly empirical, objective knowledge positivist researchers are deprived of the possibility of seeing the limitation of their own participation in it. No attention is drawn to the epistemology and metaphysic that lies at the heart of their claims. Hence the deeper question of ontological meaning is not addressed in the dominant traditions of research into spousal murder.

This project is not intended to nullify the contributions of previous investigations but rather to pursue an expanded and enhanced understanding of spousal homicide and its aftermath. Although I may be critical of conventional methodology, my own horizon has undoubtedly been somewhat moulded by the climate and traditions of the discipline from which I come -- psychology and the social sciences. Past research with its methods, theories, and findings can help to illuminate the predilections and pre-conceived notions which give way to my sense of incompleteness and "not-knowing" about the subject. Many of the curiosities and questions propelling this investigation have been stimulated by past research and how it relates to actual lived experience.

Furthermore, the co-participant (the accused) in this study has lived within the traditions of scientific method and positivistic thinking. He has been exposed directly and indirectly to current interpretations and explanations of marital homicide. His own experience and translation of it is therefore potentially affected by some of the hypotheses and conclusions that are offered by the literature and are incorporated into the psychiatric and legal opinions (as well as general public opinion) to which he has been subjected before and after the fatal incident.

The influence of past study findings, therefore, has not been escaped by either of the participants in this project. The dialogue between myself and the accused occurs within this context and inevitably is directed by some of the content and styles of popular contemporary analysis. This influence should be recognized as part of the process and potential of the participants in reaching an understanding. It is part of the horizons from which each came to unite.

The literature on marital violence has thus been explored and in this chapter I offer a summary and critique of the information and impressions I extracted. My intent is to detect for the reader some of the biases, fore-understandings, and pre-conceptions that influenced and contributed to my eventual understanding and interpretation of the experience of spousal homicide and its aftermath.

Incidence and Prevalence

In order to specify a field of study and defend its worthiness, it has become traditional in conventional research to determine how frequent and how widespread is the phenomenon under investigation. This requires that definitions be imposed onto the phenomenon in order to make delineations for statistical tabulation. Prevalence and incidence statistics can then be presented along with implicit or explicit theoretical explanations. The criticalness of the field of study of marital violence has been argued with these analyses.

The statistics offered in the literature confirm that violence is prevalent within the family setting and that family members make up the single largest category of homicide victims (Steinmetz, 1977; Zimring, Mukherjee, & Van Winkle, 1983). Statistics Canada (1989) provides some salient figures: In 1988, a homicide committed by an immediate family relation accounted for 30% of all solved homicides in Canada. This proportion is lower than the previous year (34.9%) and the previous ten year average (33%). Of the one hundred forty-three immediate family relationship homicides in 1988, ninety-one were spousal killings. Seventy of these were women killed by their husbands while twenty-one were men killed by their wives. When examining the proportion of men who killed their wives in relation to immediate family member homicides only, (49%) it may appear that more men killed their spouses. However, when looking at the actual figures the number of husbands who killed their wives was one of the lowest in the last ten years.

Reed, Blezyndki and Gaucher (1978) used Canadian national data and indicated for the fourteen year period from 1961 to 1974 that murder that takes place within the immediate family consistently makes up the largest single type -- 27.2%. Homicide statistics coming from the United States are similar. In 1965, 31% of all murders occurred within the family, and over 50% were spousal homicides (Field and Field, 1973). Mercy and Saltzman (1989) examined patterns and trends in homicides between marriage partners in the United States for 1976 through 1985 using data from the Federal Bureau of Investigation's supplemental homicide reports. The authors identified 16,595 spousal homicides accounting for 8.8% of all homicides reported to the FBI during this ten year period. Silverman and Mukherjee (1987) report that as a proportion of total homicides, spousal homicide declined from 16.6% in 1964 to 8% in 1980. They point out that nonetheless, compared with the general homicide rate, the intimate homicide rate has "remained remarkably stable."

Nadelhaft (1987) suggests that the problem of wife-abuse, both beatings and murder, was well known to nineteenth-century Americans as evidenced in frequent newspaper reports and information appearing in the widely circulated temperance literature, as well as in poems, songs, book illustrations, and cartoons. Wardell, Gillespie and Leffler (1983) explain, however, that the social science literature did not address abuse of women by their mates until the 1960's. This attention is attributed to the re-emergence and growth of the women's movement at that time. They also suggest that despite the rather recent focus on the problem, such violence is undoubtedly as old as the institution of marriage and the family which, according to a number of researchers, is particularly conducive to and cultivates the development of conflict and violence.

Charny (1969) maintains that marriage is an "inherently tense, conflict-ridden interpersonal system" and that most marriages in America are marked by destructive tensions. He quotes Mudd and Goodwin (1962) in offering an explanation for the conflicts which result when the "marriage relationship fails to afford satisfaction of needs or fails to meet them in ways to which the individual has been accustomed."

Owens (1975) also states that most marriages have violence in them at one time or another, and Bard and Zackler (1971) cite research by Malinowski (1948) and Lorenz (1966) which shows that the more intimate a relationship, the greater the likelihood of aggressive interaction. According to Boudouris (1975), family relations are the most likely kind of social interaction to result in interpersonal violence. Most homicides occur within the family, because aggressive tensions occur whenever human beings are bonded by ties of love (Gelles & Cornell, 1985; Silverman & Mukherjee, 1987; Starr, 1977).

Incidence figures for spousal abuse are described as more difficult to obtain because police are reluctant to make arrests (Rae-Grant, 1983; Parnas, 1970), and wives [or husbands?] often refuse to press legal charges (Burris & Jaffe, 1983; Owens, 1975). Thus, it is proposed that much remains unreported. Indeed, the wife or woman with whom the perpetrator has a close relationship is usually the victim of spousal abuse because men are able to "do more damage than their wives" (Browne, 1988; Steinmetz, 1977; Mercy & Saltzman, 1989) through physically aggressive behavior. The intent towards violence, however, does not appear to be a male prerogative according to homicide statistics. In 1975, reported statistics show an almost equal number of husbands and wives killed their spouses in the United States (Steinmetz, 1977). Rae-Grant (1983) also states that husbands and wives are equally likely to kill a spouse, but wives are purported to kill seven times more frequently in self-defense (Gelles and Strauss, 1979; Goettig, 1989). Steinmetz (1977) concludes that "men and women have equal potential toward violent marital interaction, initiate similar acts of violence and commit similar amounts of spousal homicide."

The provision of these statistics, along with their theoretical explanations, serves to emphasize a kind of ubiquitous quality to the phenomenon of spousal homicide. It then follows to view the phenomenon as an outcome and consequence of the societal context in which it is to be found.

Societal Violence

From a sociological stance the subtleties of individual episodes are abstracted out and the social and cultural causes or correlates of marital violent behavior are sought. These studies rest on the premise that spousal abuse/homicide can be explained by identifying the antecedent aggregate factors with which such behavior is connected.

For example, Strauss and Gelles (1986) state that the causes of wife beating are found in the structure of American society and its family system. The following interacting factors are listed as accounting for the high incidence of violence towards wives: high level of violence in society, high level of conflict inherent in the family, family socialization in violence, cultural norms legitimizing violence between family members, violence integrated into the personality, and the sexist organization of the society and its family system (O'Leary and Curley, 1986; Strauss, 1977; Strauss and Gelles, 1986).

Writing about aggression, Steinmetz (1980) notes that it appears to be a learned behavior; therefore, it can be explained by socialization processes and structural characteristics of society and the family. Although access and availability of lethal weapons through relaxed gun controls is dismissed as a significant factor in the incidence of domestic homicide by Howard (1986), a link between violence within society and within the family was found by Steinmetz in a 1974 study which suggested a relationship between the rates of violent crime on a societal level and violent acts between family members. Similarly, Goode (1971) maintains that American parents typically use force on their children and thus train them to use violence. Children learn to extend the use of force within the family to other social situations. While a man is socialized not to kill, "that very socialization makes him care deeply about principles and honour, fairness and possessions, fidelity and self-respect. Indeed, these emotional commitments are so great that he will risk or even give his life for them. It cannot be surprising that he will also murder for them" (Goode, 1971).

Although the individual may be socialized to resort to aggressive behavior, conditions within society have also been associated with intra-family violence. Boudouris (1971) concludes that homicide is not the result of individual whim, but rather of specific social determinants. For example, Fagan et al (1983) found that factors associated with mobility or job-related factors may contribute to severity of spousal injury. Economic factors can contribute to battering behavior (Owens, 1975), and factors related to poverty (discrimination, unemployment, poor housing, insufficient food, and harassment) will ensure continuance of intra-family violence (Messner & Tardiff, 1985; Parnas, 1970).

Such violence, however, is not associated exclusively with the poor. Fitch and Papantonio (1983) conclude that spousal abuse is found in all segments of society, including stable families with employed husbands. Parnas (1970) maintains that the middle class is more prone to physical assault than the poor. We are just more aware of family violence among the lower social strata because the poor become involved in the criminal process more frequently. Middle class status, education, and financial resources militate against involvement of the police and towards utilization of friends, professional counsellors, separation or divorce (Burris & Jaffe, 1984; Parnas, 1970).

Violent Relationships

As well as pursuing explanations from a sociological framework, traditional research methods have been applied to identify patterns of interactional dynamics characteristic of violent marital relationships. These studies use a variety of theoretical perspectives and seek to explain spousal murder as a predictable outcome of dysfunctional interaction and the consequence of certain incompatible personalities bound in intimacy.

A prominent observation in these studies is that emotional ties continue to bind spouses after abuse has occurred (Dutton and Painter, 1981; Ferraro 1984). Owens (1975) found that some abused women still feel affection for their husbands and that relationships between couples were often good between episodes of violence. Such loyalties are particularly evident in battered wives refusing to take legal action against their husbands (Burris & Jaffe, 1984; Parnas, 1970) and in couples uniting against police (Owens, 1975). Emotional loyalty may even cause an abused wife to strike out at an officer who is restraining her husband (Burris & Jaffe, 1984; Parnas, 1970).

Husbands, too, remain loyal and often do not wish to lose the person whom they are hurting. Shainess (1977) observes that the abusive husband is likely to blame and punish the very person he values. The research (Coates, 1985) has correlated men who batter with those who have few friends or others who might serve as resources for discussion and counselling. In fact, their spouses are their main confidants with regard to battering behavior (Coates, 1985).

Lion (1977) indicates that two sets of dynamics must be considered in the process of wife battering, which is marked by "complex and hostile dependencies between perpetrator and victim." These dependencies form the basis for interlocking hatreds. However, Lion maintains that love exists at some level wherever there is abuse and hate. Owens (1975) explains that abused wives may find aspects of the relationship valuable, or they may remain in the relationship because of guilt and a feeling of failure in not maintaining family harmony -- a societal norm. The latter may prevent wives from seeking aid. Both negative and positive considerations may explain why wives remain in violent relationships: leaving is often accompanied by increased violence and financial and social hardships, and the assailant may be loving and contrite between episodes (Rae-Grant, 1983).

O'Brien (1971) and Goode (1971) explain the marital relationship within the context of the family as a social system. O'Brien applies a social theory of the larger society, marked by superior-subordinate relationships, to the family, wherein dominance is determined by the social categories of age and sex. The husband/father has a higher ascribed role than the wife/mother or child. According to this analysis, violence results when those in subordinate positions challenge the "innate legitimacy" of superordinates. Coercive force against those of lower status is applied by the person of perceived superior status. Goode (1971) views the family as a power system defined to some degree by force or the threat of force. Applications of force within the family are both legitimate and illegitimate, as well as peaceful and violent. Shainess (1977) explains that power is used as a means of resolving differences when the perpetrator's resources have been taxed to their limit.

Violent marital relationships are more specifically defined by Faulk (1977) in a study of men awaiting trial for seriously assaulting (including murdering) their wives. The author categorizes these men as dependent/passive, dependent and suspicious, violent and bullying, and stable and affectionate husbands. Since the men themselves were interviewed, this study is somewhat atypical because information about the perpetrator is most often obtained from the victim. Freeman (1978) and Fitch and Papantino (1983) state that nearly all research has concentrated on the wife-victims, who have traditionally been the source of comment on the husband's personality. Thus, while the literature provides an external view of the perpetrator's personality and factors associated with his violence, it does not provide insight into his perception of his experience nor does it articulate the underlying biases but rather presents the data as objective.

A factor consistently associated with the violent spouse is violence within his family of origin (Cohen, 1984; Kaufman and Zigler, 1987; Parke and Slaby, 1983; Pagelow, 1981; Rosenberg, 1984; Wolfe & Mosk, 1983). In a review of literature, Steinmetz (1977) states that many adolescents and adults who committed acts of violence show that they commonly experienced or witnessed parental violence during childhood. She cites studies by Satten et al (1960) and Duncan et al (1958) who found that relentless brutality characterized the childhood backgrounds of persons who committed homicide. More recent studies concur. For example, Fagan et al (1983) conclude that exposure to violence during childhood is a strong and consistent predictor of both severity and prevalence of violence. From their study of adult alcoholic men, Kroll et al (1985) report that the most consistent finding was the relationship of childhood abuse to greater levels of aggressive behavior on the part of their subjects. Shainess (1977) identifies "chaos in the man's early life and lack of exposure to any collaborative living between parents" as major elements promoting the tendency to assault. A history of child abuse was also a factor placing depressed patients at risk for homicide in Rosenbaum and Bennett's (1986) study.

The consistent findings regarding the early experiences of men who batter led to speculation that domestic violence may be a learned behavior. Fitch and Papantonio (1983) support this view because almost three-quarters of the men in their study had an abusive role model. Fagan et al (1983) state that their data support a social learning theory of violence, as does Walker (1983), who indicates that domestic violence comes from the batterers' learned behavioral responses. Walker notes that the learning explanation is supported by the high incidence of other violent behavior and a high percentage of arrests and convictions among violent men. Steinmetz (1977), however, offers a caveat. She notes that these studies include only persons who committed acts of aggression or violence. Consequently, there is no indication of the numbers of abused children who become loving parents. Furthermore, there is little information on conditions that would cause individuals who had not been abused as children to become abusive.

Substance abuse, particularly alcohol, is another factor prominently associated with spousal violence (Evans, 1980; Frieze and Schafer, 1984; Hofeller, 1982; Jacob, Dunn and Leonard, 1983; Leonard, Bromet, Parkinson, Day and Ryan, 1985; Rohsenow and Bacheowski, 1984; Roizen, 1982; Roy, 1982; Stuart and Leonard, 1983). Shainess (1977) found that the probability of assault increased by addictions to alcohol and narcotics. Similarly, alcohol or drug abuse was one of the factors found to place depressed patients at risk for homicide in Rosenbaum and Bennett's (1986) study of case reports. In his survey of battered wives, Gayford (1975) found that injuries to the victim were sustained as a result of the man's completely losing control, under the influence of alcohol in 44% of the cases. Fitch and Papantonio (1983) found alcohol abuse to be one of five factors having a strong correlational relationship with men who batter. Abuse of alcohol, and perhaps other drugs, was also a factor in Walker's (1983) study. Substance abuse strongly indicated a high risk potential for battering in a relationship, but no cause and effect relationship between alcohol abuse and violence was discerned by Walker. Bland and Orn (1986) noted that when alcoholism is combined with either antisocial personality disorder or depression, 80% - 90% of their sample were involved in violent behavior.

Personality Characteristics of the Perpetrator and Victim

Personality characteristics of men who are physically abusive have also been the object of a number of studies. As noted earlier, these studies usually focus on what wives report about their husbands. From her interviews with battered women, Walker (1983) concludes that there may be an identifiable violence-prone personality for men. Rosenbaum and Bennett (1986) note that personality disorder is among the characteristics of depressed patients at risk for homicide. Shainess (1977) makes a distinction between assault occurring early or late in the relationship. In the former case, assault probably suggests poor impulse control. However, later in the relationship, assault may be a sign of a serious personality problem in the husband.

Citing research, Coates (1985) reports that, as described by their partners, men who are physically abusive are unpredictable, experience low self-esteem, express hostility, and have a strong need for control. Coates also cites Starr's (1983) work in presenting a depiction based on clinical experience. A personality profile of batterers reveals social isolation, rigid and high expectations, low self-esteem, controlling and domineering behavior, lack of touch with feelings, high dependency needs, poor communication skills, denial, feelings of powerlessness, and poor impulse control. Coates' (1985) own research reveals that infrequent batterers were more conceptually abstract and complex and could generate motivational reasoning and complex attributions for their behavior. The more frequent batterers were more conceptually concrete and rigid, demonstrated little insight into their behavior, and showed limited ability in dealing with interpersonal conflicts.

A review of the literature also reveals a multitude of other factors associated with the abusive husband: for example, job-related factors such as unemployment, underemployment (Fitch and Papantonio, 1983; Hotaling and Sugarman, 1986) and dissatisfaction with job, lower occupational status than wife's father, and earnings as a source of conflict (Barling and Rosenbaum, 1986; O'Brien, 1977) are described. Other factors include suspicion, sexual unfaithfulness, and rejection (Meyers, Sugar, and Apelberg, 1946; cited by Gayford, 1975; O'Leary and Arias, 1987); depression and real or imagined sexual infidelity (Rosenbaum and Bennett, 1986); lower educational status than wives (O'Brien, 1971); and stress, frustration, and blocked goals (Gelles, 1974; cited by Freeman, 1979; O'Leary and Arias, 1987). All of these factors, however, are external to the perpetrator's perception of his violence.

While some authors point out that the perpetrator as revealed through his wife's perceptions has not been depicted accurately in the literature, others are critical of the biases against the wife-victim. The major point of contention is the extent to which the victim contributes to the violence. Wardell, Gillespie and Leffler (1983) state that because the question of the wife's role arises so consistently and victims are so often compared to non-victims, the research illustrates assumptions that "wives are deviant and somehow complicit." These authors conclude that the current literature, which purports to challenge the tradition of victim blaming, in fact supports it by assuming that the difference between abused and non-abused wives have caused the abuse. Walker (1983) implies that no differences exist. She concludes from her study of battered women that, although a violence-prone male personality may be identified, no specific personality trait suggest a victim-prone personality for women. Similarly, Coates (1985) cites research showing diverse personality styles among battered women, who were initially described in the literature as being passive and having low self-esteem.

Shainess (1977) expresses a common current view that the wife almost always plays a part in the assault, although she is not to be blamed. Early research, however, places the blame more directly with the victim. Field and Field (1973) cite research findings and conclusions by Wolfgang (1962), who states that spousal homicides are victim precipitated, that "the victim is a direct, positive precipitator in the crime." He also maintains that the victim of spousal homicide may have initiated the use of physical force against his or her subsequent slayer and that the victim often has most of the major characteristics of an offender. Wolfgang (1962) challenges societal attitudes regarding victim and offender:

> At any rate, connotations of a victim as a weak and passive individual seeking to withdraw from an assaultive situation, and of an offender as a brutal, strong and overly aggressive person seeking out his victim are not always correct (Quoted by Field and Field, 1973).

Statistics and findings showing that wives kill husbands as often as husbands kill wives (Browne, 1987; Michael and Zumpe, 1986; Rae-Grant, 1983; Steinmetz, 1977; Walker and Browne, 1985) suggest that victims and offenders involved in spousal homicide cannot be categorized by sex.

The Spousal-Homicide Syndrome

A study conducted by Showalter, Bonnie, and Roddy (1980) represents one of the few investigations that is directed towards the dynamics of the homicidal incident. It is given special reference in this review because of its distinctive focus and because it was incorporated into the defense arguments of this particular case and thus may have some significance in the accused's understanding of the incident.

Using eleven case records, the researchers discerned a distinct and recurring psychodynamic picture of the offender who kills his spouse and of his relationship with his victim and drew significance to the offender's mental state at the time of the offense. The picture thus formulated is termed "spousal-homicide syndrome," revealing its origins in the medical model. Essentially the authors conclude that spousal homicides occur during periods of intense emotional arousal stemming from feelings of failure and loss in an extremely dependent relationship:

> During the act of violence, the ego function of control and modulation of serious aggressive discharge is suspended as is the capability to accurately process the

> implications of such aggressive discharges. Memory for events during this interval is often confused and distorted. This sudden loss of control is unrelated to any previous psychiatric history, does not occur as a symptom of an established psychotic syndrome and is not typical of the person's normal behavior (Showalter, Bonnie, Roddy, 1980, p. 132).

The interpretation offered uses the framework of internalized object theory, as defined by Kernberg (1966) and emphasizes defects in ego development as generated by early life experiences that affect the quality of current interpersonal relationships and render the offender vulnerable to regressive ego dysfunction in the context of highly charged emotional interactions with the spouse. When the ego is confronted with perceived excessive demands a destructive urge against the person whom the affronted ego cannot do without is mobilized (Showalter, Bonnie, and Roddy, 1980).

Summary and Motivation for this Investigation

Studies regarding spousal abuse, including homicide, have yielded vast quantities of diversified data and have been attended by an abundance of theoretical schemes seeking to account for this behavior. The research reviewed tends to follow positivist-based methodology. Controlled investigations have aimed towards trying to explain the cause and uncover the variables that contribute to this phenomenon.

The information extracted from the literature can give rise to a number of speculations regarding the accused. Within the context of a society that explicitly and implicitly teaches violence, one might expect that he grew up in an unstable home witnessing violence between his parents and/or was himself the object of their violent tendencies. With respect to his marital relationship, one might assume that emotions of both love and hate ran high, and with few friends, husband and wife were locked in dependency. Economic issues, status and power issues, infidelity, unfulfilled goals and substance abuse might have served to create and aggravate conflict. Personality disorder or depression might have further set the stage along with poor impulse control, high expectations, denial, low self-esteem, poor communication skills, lack of touch with feelings and feelings of powerlessness. At the time of the incident, the accused's resources may have been overly taxed and his emotions overly aroused such that he was vulnerable to regressive ego dysfunction which mobilized a destructive urge towards his wife.

Where do these speculations take us? The assumptions that may be drawn from the research might provide a stereotypical portrait of an offender. However, they have typically been criticized in their failure to explain why there are individuals who apparently do not engage in violent behavior even though they have all the characteristics of the aggregate population that is declared to have high causative or correlative relation with violent behavior.

While acknowledging the value of this criticism, I take a somewhat different focus in that my sense of "not-knowing" comes from the failure of conventional methodology to concern itself with the experience of the accused. The data and their explanation typically stand apart from the violent act and its aftermath in its concreteness and the meaning it holds for the accused. These approaches usually seek data in areas antecedent to and remote from the "on-goingness" of the incident. This is not to say, however, that these factors are "non-significant" but rather to query the nature of their significance in the actual on-going lived experience.

What emerges from traditional orientations in the search for cause and effect is a conception of the world as orderly and predictable, and subject to pure intellectual control and manipulation. Although the literature tries to explore objectively why the perpetrator does what he does, it does not aim to explore his experience and his understanding of his experience, nor to situate that understanding in the "life-world." Through empirical, statistical and case analyses we have constructed external perspectives but we do not know how to relate them to the perpetrator's inner world nor to our shared world.

The influences these approaches have on our understanding of this event represent the point at which it becomes possible to conceive of the accused as a form of "objective-species" about which it is possible to derive objective data but from which no human voice need be heard. What is used are the interpretive schemas derived from mechanics applied to the inner workings of man. The aim is not so much to comprehend the subtleties, nuances, and complexities of experiences as they co-exist in the individual. Rather the attempt is to exclude all distinctive elements in experience from the content in order that, whenever possible, the conception of the phenomenon should approximate the simple schemas of a mechanical world. The consequence is a kind of abstracting-out of the elaborateness of qualitative experience in the name of truer understanding of the essential structures of the phenomenon. But the essential vividness of the experience becomes ignored as not being ultimately significant in itself. What is important is the structure or the function that is demonstrated by the experience. This method of inquiry, therefore, cannot address the question of the meaning of experience, except as it exemplifies or reinforces certain already given definitions as to the way reality "is." No experience in and of itself has any message or meaning apart from the degree to which it reinforces the prior conditions for possible knowledge.

The world of the accused is seen as somehow distinct. It is presumed that knowledge of spousal violence/homicide and the accused can be derived without asking the question: "Who are those whose voice makes possible formulations about fellow human beings?" There is also a taken-for-granted idealized conception of what is possible in human nature if only the proper conditions can be ensured. There is implicit an ideal that informs the nature of the end toward which human beings can or should strive. There is implied a previously accepted definition of correct behavior against which other behaviors can be measured or compared. The offender is designated as such by virtue of a prior, although not explicit, conception of what is not an offender. Any theory about the nature of marital violence implies a pre-determination of what constitutes healthy social interaction and functional marriages.

These paradoxical features of the field of marital violence study, that is the isolation of the investigated offenders from the investigators, avoids the question of the meaning of these tragedies in the context of everyday life. In other words, to see perpetrators as objects for empirical inspection and theorizing does not in itself allow the question of why we are looking at them in that way. Empirical inspection begins rather with a concern for the method of investigation as distinct from its motivation. To ask for the grounds of motivation, however, is to inquire into how it is that these violent expressions of human nature are held to be important for inspection in the first place.

To be concerned in this way opened the author to the tradition that addresses these issues. That is the tradition of hermeneutics, which asks: "What does it mean to understand something?" From a hermeneutic stance, any investigation of what is the experience of spousal homicide and its aftermath inevitably throws back to the investigator questions concerning the meaning of understanding and locates the researcher and what is being researched in an unambiguously dialectical relationship. As it is meaningless to ignore the voice of the accused in our understanding of his experience, it is equally meaningless to deny our own voice in its interpretation. In understanding the world hermeneutically, the potential exists for offender and non-offender to become engaged in living dialogue. The interest is to search for a way in which that which constitutes the "living-ness" in relations between the accused and the accuser can be made apparent so that neither imprisoned nor free is left isolated in investigation but rather shown to be inextricably connected in a living dialogue. From this vantage, it may be appropriate to say that there is no such thing as an "offender" in any pure abstract species-specific sense of the word. There is only another person who shares in the experience of being human, an understanding of which can mean to have our own experience rendered more fully alive. In the following chapter, out of this attitude and motivation, I share my understanding of the tradition of hermeneutics as a path for redirection from traditional research in the search for understanding spousal homicide and its aftermath.

III. Understanding Hermeneutics

The provoking interest behind this study is, in itself, hermeneutical as I have come to "understand" hermeneutics in my exploration and interpretation of its historical development. The insights gleaned from the philosophical writings hold meaning for me by virtue of my prior (pre-conceived) notions of understanding and my experiences of coming to new understandings, allowing the words of these philosophers to speak relevantly to the project at hand.

The preliminary process of explicating and articulating the object and intent of inquiry for this study led the investigator to engage in hermeneutical reflection prior to identification of the experience as such. The orientation taken for this study is essentially inherent to its objective: to disclose the ontological meaning of spousal homicide. This objective reveals my own biases with respect to reaching refined insights and enhanced understanding in my own experiences. To find a language to express this attitude was to find the words of others that spoke in some way to my fore-understanding and expectations of elaborated knowledge. This brought me to a reading and interpretation of hermeneutical writings, selecting meanings and themes that for me captured some of the essence of my interest in pursuing this investigation. I am aware in writing this chapter that my understanding of hermeneutics, as interpreted from the works of the major contributors acknowledged in the historical development of hermeneutics and other investigators who have undertaken hermeneutic investigations, is a biased view. That is, the meanings and insights that are derived from the readings are bound to my own prejudices in the context of my current research enterprises and life world. In reviewing the texts of philosophers, historians, and social scientists, certain ideas and themes emerge for the investigator while others recede or remain hidden. Presumably, at another time and in another context, the same reading would/will bring forth different understandings of and emphases to these works.

In this chapter then, I outline my understanding of the state of the art of modern hermeneutics and its development. It includes a review of the major names associated with hermeneutics and my understanding of their perspectives. It also, inevitably, omits much of their prolific insights in that hermeneutics reminds us that we cannot be complete in explicating meaning and arriving at an understanding, nor should we intend to replicate and reproduce an original experience but rather allow for its transformation as experienced in our interpretation. The reading and interpretation of these hermeneutic writers' works was in fact an experience for this investigator wherein I became absorbed by the language of hermeneutics to the extent that new understanding of "understanding" evolved for me.

The Development of Philosophical Hermeneutics

Hermeneutics essentially means "interpretation." Initially it was developed for illuminating the message of biblical texts. Later it became a method of textual interpretation that was not restricted to religious works. With Schleiermacher and Dilthey, it was generalized still further to also apply to human action (Bain, 1986; Carson, 1984; Holmgren, 1988; Mueller-Vollmer, 1989; Oh, 1986; Palmer, 1969; Smith, 1983).

The term derives from the name of the messenger of the Greek gods, Hermes. He is associated with uncovering and transmitting what is beyond human understanding into a form that human intelligence can grasp. The various roots of the word (hermeios, hermeneuein, hermeneia, et cetera) all suggest the process of bringing a thing or a situation from unintelligibility to understanding. Hermeneutics, then, has to do with making familiar and comprehensible the strange, the alien, the mysterious. Heidegger proposed that hermeneutic phenomenology is the method of investigation most appropriate to the study of human action (Heidegger, 1959). Heidegger's method is "hermeneutics" because there is a need for interpretation when one is explicating experience. According to Wilhelm Dilthey, an early forerunner of modern hermeneutics:

> Interpretation would be impossible if the expressions of life were totally alien. It would be unnecessary if there was nothing alien in them. . . . Hermeneutics is required whenever there is something alien with which the art of understanding has to come to terms (cited by Shapiro, 1971, p. 164).

Hermeneutics, then has to do with interpreting -- making sense of, bringing to intelligibility and understanding -- the meaning of human destiny as it reveals itself in the occurrences of daily life. As such, too, it asks for the nature of understanding itself, of how it is we can say, "Yes, I understand." In short, hermeneutics is concerned with human ontology, with the be-ing of being human, preeminently as that ontology is expressed through human language (and action.)

To provide such a broad perspective does not reflect a propensity for generalization so much as a desire to locate the hermeneutical enterprise at the heart of any reflection on human experience in the world. Hermeneutics is not just one aspect, or one form of methodological procedure but is a "universal aspect of philosophy" (Bain, 1986; Carson, 1984; Mueller-Vollmer, 1989; Smith, 1983). When tracing the development of hermeneutics one can discern that it has almost always defined itself as a reaction against foreclosing and limiting the possibilities of human understanding. That is, it seeks to lay open the heart of human understanding in its fullest sense. It is in this way that hermeneutic inquiry represents the most radical call for a re-orientation of priorities in life-world investigation, and why it is that this investigator turns to the hermeneutic tradition as a source for grounding a new form of reflection on the experience of spousal homicide and its aftermath.

Schleiermacher (1768-1834): Towards a General Hermeneutics. When one traces the history of modern hermeneutics, one can see a continuous self-reflective reaction against the dominant theological, epistemological, and metaphysical presuppositions which limit our understanding of human life in its fullest sense. This hermeneutical project to restore the understanding of the fullness of human life, especially in the social sciences, was launched in the nineteenth century by Schleiermacher, the acclaimed father of modern hermeneutics. Schleiermacher proposed a "general hermeneutics" focussing on the question of what constitutes interpretive understanding, what makes understanding possible. Under his influence, hermeneutics as interpretation theory acquired a meaning of being a science, or art of understanding, or what might be characterized as a phenomenology of understanding (Hall, 1978).

Schleiermacher elucidated that hermeneutics as the art of understanding is, in its essence, the same regardless of the kind of text (legal documents, religious scripture, or works of literature) even though there are certainly differences among diverse kinds of texts. Schleiermacher contrasted two poles of interpretation: "grammatical" interpretation and "psychological" or "divinatory" interpretation (Howard, 1982; Oh, 1986). The former dealt with objective and general laws based on language, and the latter focussed on the individuality of the author -- his peculiar genius. Initially, Schleiermacher's effort to search for the general condition of reliable understanding of text interpretation in the direction of the author's individual spirit gave a kind of balance between the two modes of interpretation. Language skill remained the key for understanding the speaker in what is spoken. But later, there was a decisive shift in his insight towards exclusive emphasis on "psychological" interpretation. He argued that grammatical interpretation was objective but negative because it evinces the limits of understanding. Hence, he proposed that the proper task of hermeneutics was to be captured by the second mode through which one can understand the subjectivity of an author who speaks (Carson, 1984; Howard, 1982; Oh, 1986).

Given previous hermeneutical frameworks, an interpreter could analyze understanding as reproduction or reconstruction. But in order to understand in a manner faithful to the original text, Schleiermacher recognized the need to see himself as interpreter, participating in the same spirit that produced the text. He suggested that there exists a homogeneous and creatively effective potential which, unconscious of its own effect and formation, develops the original impetus behind the words. To understand a text means to be guided and captured by, and be receptive to that which makes the original work possible. Understanding and interpretation are always therefore active in life itself (Carson, 1984; Smith, 1983).

In the process of understanding, the individuality of the text interpreter and that of a text's originator do not face each other as two irreconcilable entities. Both have been formed on the basis of a common human nature, and this makes possible the ground which all men share and which is necessary for speech and comprehension. When the interpreter projects her own "vitality" into a historical milieu, she is able, by stressing certain mental processes and restraining others, to bring about a reconstruction of an alien life within herself. But a fundamental difficulty arises here, for the whole of the work itself must be understood from the individual words and their combinations, and yet the full comprehension of the details presupposes the understanding of the whole. So the interpreter, in her understanding, is caught in an endless circle wherein her understanding, by definition, is never complete (Hall, 1978; Palmer, 1979; Mueller-Vollmer, 1989; Smith, 1983).

Although the psychological character of Schleiermacher's insight has been called into question, his contribution to modern hermeneutics is vital. He unfolded the complex and dynamic world of the text and its primordial connectedness to individual life. It is through Schleiermacher's contribution that hermeneutics is seen no longer merely as a method or subdiscipline of theology, literature, or law, but as the art of understanding any utterance in language (Oh, 1986).

Dilthey (1833-1911): Hermeneutics and the Human Sciences. Dilthey took up Schleiermacher's project of general hermeneutics and pursued it in the wider context of historical or human sciences in a form more clearly recognizable in contemporary social science scholarship. Dilthey pioneered the evolution of the field beyond a strict concern with literary textual interpretation, for he saw the powerful connection between language and life. That is, a consideration of the questions concerning the understanding and interpretation of textual material inevitably drew one into broader questions about how it is that people in different contexts came to understand each other at all.

Dilthey was also acutely critical of applying objectivist natural science methods to studying human affairs. His concern over the potentially alienating quality of the objectivist methods of natural science led him to distinguish between the interests of the natural sciences and those of what he termed the human sciences. He accepted that nature, since it is "non-self" and impersonal object, can be interpreted in the explanatory terms of mathematical and ahistorical principles, but he did not believe that life can belong to the same category. According to Dilthey our experience of culture or human phenomena cannot be relegated to an impersonal category which can be explained by mathematical or ahistorical formula, since in such cultural phenomena as historical documents or works of art, there is the fundamental "connectedness of psychic life." Hence, he believed that human phenomena are not to be explained but to be understood (Howard, 1982; Palmer, 1979; Oh, 1986; Smith, 1983). Dilthey's concern was that "thought had become life-less, and life thoughtless" (Hall, 1978, p. 118). In response, he took as his personal charge "to understand life, as it is lived by man" (Hall, p. 119).

The basis of that understanding was to be the study of lived experience itself. This was not to be understood simply as a study of perception, or sensation, but of experience in all its depth and diversity, including the grounds of theorizing about experience itself. In doing this Dilthey attempted to steer a clear path, a spiral dialectical path through the two contemporary intellectual streams of "other-worldly idealism and unthinking empirical realism" (Rickman, 1976, p. 101). Dilthey proffered a form of immanent idealism which gave full import to the totality of human life: human thinking as well as human acting. To achieve this, he argued for the necessity of connecting the empirical study of human situations with the study of human history. The former acknowledged the concreteness of human experience, while the latter could bring to awareness the archeology of human consciousness.

Dilthey was convinced that neither philosophy nor history, as generally conceived, offered the resources and methods for genuine comprehension of the world. He maintained that neither could elucidate the relationship between knowledge and action, that is, in producing the kind of knowledge that leads to action in the present and the formation of personal or social life-values. He argued that a more genuinely human science could be neither simply psychological, such as the objectivist sciences of the mind or of consciousness, nor could it be a historicism which saw contemporary human efforts solely as the product of historical antecedents. He wanted to embrace human historicity as well as human creativity. Dilthey viewed this amalgamation as the art of self-reflection, which he understood as neither purely subjective nor objective but fundamentally intersubjective.

Dilthey perceived the task of the human sciences as being to make their object of inquiry accessible in an orderly manner based upon the systematic relation between "experience," "expression," and "understanding" (Carson, 1984; Mueller-Vollmer, 1989; Oh, 1986; Palmer, 1969; Smith, 1983). Dilthey's reference to "experience" is defined as lived experiences held together by a common meaning. It is not based on one encounter alone but brings together events of various kinds, times, and places: their unity of meaning as "an experience" lifts them out of the stream of life and holds them together in a unit of meaning. It is something we live in and through but of which we are not reflectively conscious. It is the lived reality as such. It exists prior to any subject-object dichotomy, and represents that direct contact with life which may be called "immediate lived experience." In this important sense, then, the world and our experience of it are given to us in an undivided reality.

Furthermore, there is a profound temporality in the context of the relationships given in experience. Experience is not a static matter. On the contrary, in its unity of meaning it reaches out and encompasses both recollection of the past and anticipation of the future in the total context of meaning. Meaning cannot be imagined except in terms of what the future is expected to be, nor can it free itself from dependence upon the materials which the past supplies. The past and future, then, form a structural unity with the presentness of all experience, and this temporal context is the inescapable horizon within which any perception in the present is interpreted. It means we understand the present only in the horizon of the past and the future. And this is not a matter of conscious effort but is built into the very structure of experience itself. Lived experience can subsequently become an object of reflection but then it is no longer immediate experience but the object of another act of encounter (Mueller-Vollmer, 1989; Oh, 1986; Palmer, 1969; Smith, 1986).

Dilthey's reference to "expression" needs to be clearly distinguished from connotations such as feelings and sentiments. From his perspective, expression is not primarily an embodiment of one person's feelings but an expression of life itself, and as such can refer to an idea, a law, a social form, or especially language -- anything that reflects man's objectivated inner experience of the world. The hermeneutical significance of objectivation is that because of it, understanding can be focussed on a fixed, objective expression of lived experience instead of struggling to capture it through introspection. Expression is not of a purely individual personal reality, for then it could not be understood by another person. When the expression is in writing it uses language, a medium held in common with the interpreter. Hence, it is pre-eminently through language as a socio-historical objectivation, that a science of man becomes possible.

In Dilthey's view, language not only permits man to transmit experience but also to store it, so that this body of knowledge becomes a socio-cultural heritage, a kind of heredity of experience which appears "a priori" because it is immemorial to the individual mind. Language is a medium which expresses the contents of experience in what must be considered a general or common form in reference to a common world... a community binds the expresser with the interpreter, every person lives, thinks, and acts constantly in a sphere of community and only in such a sphere does he understand. Language then is the medium of expression which links the individual to a common world of meaning (Mueller-Vollmer, 1989; Oh, 1986; Palmer, 1969; Smith, 1984).

"Understanding" is both an ordinary or "natural" form of human awareness and a method of inquiry in the human sciences. The two can be distinguished but cannot be entirely divorced. Dilthey's view of understanding includes the continuity and reciprocal influence of the life-world and knowledge about it.

Dilthey repeatedly stressed that the human sciences do not simply deal with a special object: human life as distinct from nature, but rather they employ a special method or "attitude" toward that object. Method and object, however, condition each other reciprocally and can be separated in analysis only with the proviso that they operate in synthesis. Understanding is neither an act without a content, nor a result without a process of arriving there. Understanding is a natural or practical attitude in life which, by means of critical controls and refinements, becomes the method of the human sciences. Dilthey often differentiated the human and natural sciences by distinguishing between understanding and explanation. Referring specifically to the mental attitudes pertinent to each body of the sciences, Dilthey described understanding as a form of knowledge of the inner mental life of man to be applied in the human sciences, and explanation as knowledge of the laws of the causal order of natural phenomena to be applied in the natural sciences. Understanding is an ongoing approximative process with no absolute beginning nor end. It is not, however, simply a medley of perceptions or perspectives, for it shows a progressive refinement toward general validity.

Particularly important in Dilthey's view of "understanding" is the way in which understanding proceeds from what might be termed natural or naive understanding through the "hermeneutical circle" (Schleiermacher's term borrowed by Dilthey) to structural representation. The ordinary understanding is implicit in the standpoint of everyday life; we orient ourselves to others and to situations by means of a largely tacit process of interpretation. True understanding is so difficult to bring into light not because it is so mysterious, but because it is so commonplace and familiar. In other words, there is a sense that we can understand without a theory of understanding. Most objects of the human sciences are understood before they are known. Such knowledge depends upon a certain fore-knowledge, a certain prior cognizance which makes recognition possible. Dilthey's view of understanding then is a complex of experiential and cognitive content which paradoxically is both possessed from the start and augmented in the process of understanding itself. The object is understood in a tacit sense before it is known in its fullest sense (Carson, 1984; Mueller-Vollmer, 1989; Palmer, 1969; Smith, 1983).

These insights brought Dilthey to insist on the inevitably circular character of understanding, a quality he regarded as positively productive. He saw the pattern of knowledge formation to be generalizations formed only by abstracting from the data those traits and relations which belong together. Selection, abstraction, conceptualization, comparison, and classification all demand an initial criterion of judgement. Thus it is impossible to be purely inductive or descriptive in method, for thought always demands such a prior determination. Moreover, the purpose of interpretative understanding is neither an exact description of nor reconstruction of a situation, but rather a structural representation or constitution. The intelligible pattern to be understood is not the original temporal order as lived, for the interpreter does not grasp every experiential detail, but rather a set of relations formed into an "ideal order." The grasping of this order begins with re-experiencing, but proceeds through different levels of conceptual representation. The greater the scope of our understanding, the more it is emancipated from the original sequence of events, and the less it resembles a replication of what went on in another mind (Carson, 1984; Oh, 1986; Palmer, 1969; Smith, 1986).

The significance of Dilthey's effort in the history of modern hermeneutics cannot be overlooked. First of all, he placed hermeneutics in the wider context of human sciences and animated the text by restoring this connectedness to life. Especially, his insightful disclosure of dynamic dimensions in human understanding, such as temporality, circularity, historocity, and incompleteness of understanding, is significant, still remaining as fundamental themes of human understanding.

In summary, Dilthey's exploration of the nature of hermeneutic inquiry was a reaction to the 19th century ideals of natural science. He determined to establish a human science which would rescue the complete and vivid quality of human experience and the ultimate expressiveness of experience in language. Dilthey emphasized that the task of human science was to be concerned with understanding human experience rather than explaining it. Essential to that understanding is an appropriate attitude which begins with fore-knowledge, but leads through re-experiencing to a form of understanding, never complete, which goes beyond mere replication.

Heidegger (1899-1976): Hermeneutics as Ontology. With Dilthey's fundamental question: "How is historical knowledge possible?" hermeneutics remained merely one variety of the theory of knowledge and thus, claims to the truth of interpretation relied basically on its methodological ideal. In this historical context, it is Heidegger who raised the radical question of this epistemological presupposition itself.

Heidegger's perspectives linked the hermeneutic tradition explicitly with phenomenology. He maintained that knowing and understanding are not fundamentally epistemological questions, but rather ontological ones. From this point of view, knowing and understanding are only part of a larger question -- the question of being: "What does it mean to be?"

In Schleiermacher's general hermeneutics, the search was for the possible conditions pertaining to understanding. Dilthey had attempted to establish the grounds of the hermeneutic sciences as being distinct from those of the natural sciences. Heidegger went far beyond these perspectives and defined the essence of the hermeneutic enterprise to be the ontological power of understanding itself which renders possible the disclosure of the very being of things, and ultimately, of Being itself. For Schleiermacher, understanding was grounded in his philosophical affirmation of the identity of inner realities, so that in understanding one vibrated, so to speak, in unison with the speaker as one understood. Dilthey referred to understanding as that deeper level of comprehension involved in grasping the expressions of human life (particularly language) as more than mere data -- as life expressions.

Heidegger did not negate these formulations so much as put them in the context of Being. For him, understanding is the power to grasp one's possibilities for being, within the context of the world in which one always already exists. Understanding is not a special capacity or gift for feeling into the situation of another person, nor is it merely the power to grasp the meaning of life's expression on a deeper level. In Heidegger's view, understanding is not an entity in the world but rather the structure of being which makes the actual exercise of empirical understanding possible. Understanding is the basis for all interpretation. It is ontologically prior to every act of existing. According to him, understanding is the power to grasp our own possibilities for being within the context of the life-world where we exist. It is thereby conceived as a mode or constituent element of being-in-the-world rather than something to be grasped as fact and thus to be possessed (Heidegger, 1962; Mueller-Vollmer, 1989).

Heidegger criticized how thoughts, actions, and truths had become defined as merely ingredients of experience to be manipulated and controlled at will. He preferred to consider the understanding of truth to be "unconcealment," as that which reveals itself as true. This is opposed to a "correspondence" perspective wherein truth is understood as that which accrues when the perception of the things of the world is seen as correspondent with the way things "actually are" in the world. Correspondent truth is understood as correct seeing, and thinking a matter of placing an idea before the mind's eye. That is, truth is construed as the proper manipulation of ideas.

For Heidegger, phenomenology means letting things become manifest as what they are, without forcing our categories onto them. It is not we who point to things, things show themselves to us. The very essence of understanding is a being led by the power of the thing to manifest itself. Phenomenology is a means of being led to the phenomenon through a way of access genuinely belonging to it. The implication for hermeneutics, then, is that interpretation is not grounded in human consciousness and human categories, but in the manifestness of the thing encountered, the reality that comes to meet us. Understanding is not fixed but historically formed, accumulated in the very experience of encountering phenomena. Being itself, then, can be interrogated by an analysis of how appearing occurs. It is in this sense that ontology must become phenomenology. Ontology must turn to the processes of understanding and interpretation through which things appear. It must lay open what Heidegger calls the "mood and direction" of human existence. Ontology, becomes, as such, a phenomenology of being: a hermeneutic of existence. A hermeneutic phenomenology, as ontology, attempts to lay open what is hidden. It is not a methodology. The primary act of interpretation is to bring something from concealment to clarity.

In Heidegger's exposition of hermeneutics it is important to clarify the meaning of world and our relationship to objects in the world, and the meaning or nature of language and speaking. The term "world" for Heidegger is not objective -- rather it means the whole in which the human being is already immersed. Heidegger did not conceive of "world" as separate from the self, because world is always prior to any separation of self and world objectively considered. Similarly, the world is always prior to all human subjectivity. Neither can the world be described by trying to enumerate all the entities within it, for in such a process, "world" would, in a fundamental way, be passed over. Heidegger's world is just what is pre-supposed in every act of knowing anything in it. In a basic sense, every entity in the world is always already there. The entities which make up the humanly experienced physical world are not themselves world but in a world. World is so encompassing, and at the same time so intimately present, that it eludes notice. One sees right through it, yet without it one could not see anything at all (Heidegger, 1962).

From the point of view of hermeneutic inquiry and the search for understanding, such a conception poses a basic question. How can we become aware of the world if we ourselves are in it so intimately as to be unable to see it as it is? For Heidegger, knowing the world becomes possible when some break-down occurs whereby what was previously taken for granted becomes transparent. At the point of breakdown what was once seemingly insignificant bursts forth out of the concealment of its taken-for-grantedness. For the meaning of the things of the world lies in their relation to a structural whole of interrelated meanings and intentions. In break-down, for a brief moment the meaning of objects is "lighted up" emerging directly from the world itself. The essential hermeneutical character of understanding is grasped not through an analytical catalogue of its attributes, nor even its function day to day, but rather when it breaks down -- when it reaches an impasse.

In human experience the bringing of the being of human being from hiddenness to unconcealment is achieved through language and speaking. The function of language is that it points to phenomena, it lets something be seen as something. This function is a matter of disclosing, or bringing to manifestness what a thing is; it brings something out of concealment into the light of day. The mind does not project a meaning onto the phenomenon; rather what appears is an ontological manifesting of the thing itself.

Human beings realize themselves through their language, for in their spoken words, in their speaking, is the being of human be-ing brought from hiddenness. It is not human beings who use language for their own purposes but language that speaks the being of humanity through voice and tongue. The essence of language is in speaking, for to say is to show. To speaking and saying also belongs a capacity to listen, so that what is said can show itself. In a fundamental sense, saying preservices what is heard.

Heidegger's shift toward an emphasis on the linguisticality of the human way of being, and his assertion that Being leads man and "calls" him, such that really it is not man but Being that shows itself, are of central importance for a theory of understanding. It makes the very essence of language its hermeneutical function of bringing a thing to show itself. Interpretation becomes a helping of language itself to happen. In terms of texts, for example, the hermeneutical function of the text itself is emphasized as the place where Being shows itself. Hermeneutics, for Heidegger, deals with the moment that meaning comes to light.

Heidegger coins the term "meaningfulness" to name the ontological ground for the intelligibility of that fabric of relationships within which understanding can be made manifest. As such, "meaningfulness" is something deeper than the logical system of language -- it is founded on something prior to language and embedded in the world, that is, the relational whole. However adequately words may shape or formulate meaning, they also point beyond their own system to a meaningfulness already resident in the relational whole of world. Meaningfulness is what an object gives to human beings through supplying the ontological possibilities of words and language. Whatever is encountered in the world always arises as already seen in a particular relationship (Palmer, 1969). As Heidegger puts it in the context of language: "Language already conceals within itself a developed mode of ideation, an already shaped way of seeing" (Heidegger, 1962, p. 154). In understanding, things in the world are seen as this or as that. The aim of interpretation is to render the likeness of things in their unconcealment.

To elaborate on this would lead to discussion of Heidegger's notion of fore-structure in understanding and the impossibility of pre-suppositionless interpretation. His insights in his reflective disclosure of the ontological structure of understanding and interpretations, captured mainly in terms of temporality, circularity, and pre-suppositionlessness, are of particular interest to Heidegger's pupil and successor, Gadamer, whose contribution will be discussed next. Heidegger radicalized the hermeneutic project by casting it as an ontological concern rather than an epistemological one. Hermeneutics became, through Heidegger, a phenomenology of Being whereby the art is to allow that which makes all things possible to show itself as itself. Hermeneutic inquiry came to be understood not so much as a technical inquiring into the specific qualities of things or people but as an attentiveness to the speaking of the world through the things of the world as they already are. Understanding is the hermeneutic requirement of letting things be seen, a bringing to unhiddenness that which is concealed, or rather a being met by that which comes to meet us as "world." Interpretation is a laying open of the "mood and direction" of human existence, of human be-ing as it discloses itself preeminently in language (Carson, 1984; Mueller-Vollmer, 1989; Oh, 1986; Palmer, 1969; Smith, 1983).

Gadamer (1900-): Dialectical Hermeneutics. The character of Gadamer's hermeneutic enterprise can be seen as an effort to formulate a new foundation of the human sciences and human experience of the world without falling into historical regression. The publication of Gadamer's *Truth and Method* (1986) marks a key point in the direction of hermeneutic inquiry. As a student of Heidegger, Gadamer sought to perceive and develop the positive hermeneutical consequences of phenomenology, and particularly Heidegger's thinking about it. In general, Gadamer brought to systematic expression Heidegger's radical reconceptualization of understanding. The older conception of hermeneutics as the methodological basis for the social sciences is superseded. Indeed, the very status of "method" itself is brought into question. The title *Truth and Method* points to one of Gadamer's central interests: the relationship between the two words contained in it. For him, method is not the way to truth. On the contrary, truth eludes the methodical person. Understanding is not merely a subjective human process, but the way of being human. Hermeneutics is not just a general helping discipline for the humanities, but a philosophical effort to account for understanding as an ontological -- the ontological --

process in being human. In Gadamer, Heidegger's basic concepts of thinking, language, and history are carried over and developed.

Like Heidegger, Gadamer is a critic of the modern technological thinking, objecting to taking reason as the ultimate point of reference for human knowledge. He shares with Heidegger a search for the grounds of knowledge in early Greek thinking, which regarded thinking as a part of being itself. The Greeks did not take subjectivity as a starting point, to then ground the objectivity of their knowledge in it. Rather knowledge itself was understood as being essentially dialectical, in which the nature of what was being understood itself guides the way it is to be understood. Knowledge is not a possession, but something in which one participates. It is in this sense that Gadamer argues that method itself is incapable of revealing new truth. For method can only render the kind of truth already implicit in the method. According to Gadamer, method itself is not arrived at through method, but dialectically, that is, through a questioning responsiveness to the matter being encountered. In method, the inquirer leads and controls and manipulates; in dialectic, the matter encountered poses the question to which the participant responds. In a sense, in the interpretive situation, it is the questioner who suddenly finds herself the one who is interrogated or put into question by the "subject matter" (Bain, 1986; Carson, 1984; Holmgren, 1988; Mueller-Vollmer, 1989; Palmer, 1969; Smith, 1983).

Over and against a view of purely conceptual, verifiable, technical knowledge, Gadamer poses his historical and dialectical concept of "experience," where knowing is not simply a stream of perceptions, but a happening, an event, an encounter. Here, Gadamer shows his debt to Hegel who argued that experience is always a product of the encounter of consciousness with an object; that is, it emanates from the point at which it becomes aware of the limits of its knowing. According to Hegel, experience always has the structure of reversal or a restructuring of awareness.

At the base of experience is an element of negativity, an experience of not-ness. When we are aware that something is not as we assumed, we then become open to experiencing it as it is. As Gadamer puts it:

> Only through negative instances do we acquire new experiences [for] every experience worthy of the name runs counter to our expectation (Gadamer, 1982, p. 319).

Thus for Gadamer, experience is fundamentally "the experience of human finitude." (Gadamer, 1982, p. 320). It is only this awareness of one's limitations that can free one from those dogmatic assertions which close in on experience and suffocate its possibilities. The experienced man is one who, recognizing his limitations, is now open to the showing of life itself. This experience is, in the same way, an "experience of one's own historicality" (Gadamer, 1982, p. 321). It is in acting in concrete historical situations that human beings become aware of their "limitations, of [their] limitedness in both time and the future." (Gadamer, 1982, p. 321). This maturity in experience which places one in proper openness to the future and to the past, is itself the essence of what Gadamer has in mind as historically operative consciousness or, as it is usually translated: "effective-historical consciousness."

To be aware of the historicity of one's consciousness means to come to understand one's relation and experiences in the present as a participant in a living stream. As a result, understanding always takes the form of a dialogue. Hermeneutic understanding starts from an analogous phenomenon, the I-Thou relationship. The starting point is not significant, for it indicates once more that the notion of understanding is not to be reduced to the epistemological relation between a subject and an object. Hermeneutical understanding is not either a "mysterious communion of souls, but rather a participation in a shared meaning." (Hoy, 1978, p. 62).

The operation of prejudice in historical consciousness is revealed in Gadamer's distinction of the three modes of relationships between "I" and "Thou" (Gadamer, 1982, p.

321-325). The first two show the nature of distortion which can occur when the "Thou" is seen as object.

In the first form of "I-Thou" relation a person is classified according to type-ideas about other people. The other person is subsumed under common psychological generalizations, truisms about human behavior, and types of personalities. The first mode is completely forgetful of the role of the classifier in the act of classification. In this relation, the other person is understood in the same way that we understand any other typical event in our experiential field, that is, he is predictable. In this relation, I understand others in terms of my own prejudice, and the prejudice of the other is negated. The relationship gives faith to method and objectivity, and subscribes to the "prejudice against prejudices" (Gadamer, 1982). The classifier stands aloof from what is being analyzed, taking the objectivity of his classification for granted. There exists an unbridgeable distance between the knower and known, and hence, no true understanding between them.

In the second mode of "I-Thou" relation, the "Thou" is acknowledged as a person, but the understanding of "Thou" is still a form of self-relatedness. Knowledge of the other person is not immediate but reflective. It remains possible for each of the partners reflectively to outdo the other. One claims to express the other's claim and even to understand the other better than the other understands himself. The prejudices of both are acknowledged but each prejudice is separated and isolated. The relationship might be described as one of a mutual struggle for recognition, for domination of one person by the other.

The experience of the "Thou" gained in this way is more adequate than in the first mode where human relations are thought of in terms of "knowledge" of human nature and where the interest is simply to calculate how other persons will behave. Yet at the same time it shuts out the essentially dialectic reciprocity at the heart of human understanding itself. It has a suffocating quality in its effort to dominate and serves to keep the other person at distance by claiming to understand in advance.

Gadamer calls this form of understanding "historical consciousness." "Historical consciousness" knows about the otherness of the other, about the past in its otherness just as well as the other understands himself as a person. It seeks in the otherness of the past, not the example of a general law, but something historically unique. By claiming to transcend its own conditionedness completely in its knowing of the other, it is involved in a false dialetical appearance, since it is actually seeking to master, as it were, the past (Gadamer, 1982).

This is a fundamental illusion, argues Gadamer. A person who imagines that he is free of prejudices, basing his knowledge on the objectivity of his procedures and denying that he is himself influenced by historical circumstances, experiences the power of the prejudices that unconsciously dominate him. "A person who does not accept that he is dominated by prejudices will fail to see what is shown by their light" (Gadamer, 1982, p. 324). A person who reflects himself out of the mutuality of the "I-Thou" relation changes the relationship profoundly and destroys its moral bond. A person who reflects himself out of a living relationship to tradition destroys the true meaning of this tradition in exactly the same way. That is why, says Gadamer, historical consciousness must take account of its own historicality, for, as he puts it, "to stand within a tradition does not limit the freedom of knowledge but makes it possible" (Gadamer, 1982, p. 324).

It is this knowledge and recognition that constitutes a third and highest type of hermeneutical experience. Gadamer refers to this highest type of hermeneutical experience as the "effective historical consciousness," and its realization as the "fusion of horizons." It too has a real correspondence with the experience of the "openness of tradition" possessed by what Gadamer terms "effective-historical consciousness." It too has a real correspondence with the experience of the "Thou." In this relation we experience the "Thou" truly as a "Thou." We do not overlook the other's claim but listen to what he has to say to us. To this end, openness is necessary. To relate this relation to prejudice, we are aware both of our own and others' prejudices but we are open to hear from the other in order to go beyond our own prejudices and thus reach a better understanding (Bain, 1986; Carson, 1984; Holmgren, 1988).

Without this kind of openness to one another, there is no genuine human relationship. When two people claim to understand each other, this does not mean they each do blindly what the other desires. Rather, openness to the other includes the acknowledgement that I must accept some things that are against myself, even though there is no one else who asks this of me.

This, says Gadamer, is the parallel to the hermeneutical experience. I must allow the validity of the claim made by tradition, not in the sense of simply acknowledging the past in its otherness, but in such a way that it has something to say to me. This is why Gadamer insists that an authentic hermeneutics is grounded in "effective historical consciousness," rather than simply "historical consciousness" itself. For to understand history as effective means to see oneself not only influenced by it, but participating in it, shaping it, and in a sense offering it to the future. As he says repeatedly, following Heidegger, it is impossible for a man to be "out of" history. There is no non-historical objective point from which to view or interpret the events of men, past, present or future. To say this is to shake loose the connection between truth and method (Carson, 1984; Gadamer, 1982, Smith 1983).

Gadamer's ideas of "effective historical consciousness" and the "fusion of horizons" have profound significance in text interpretation. According to Gadamer, we understand the text through the question that lies behind what is said. This takes place by our achieving the "horizon of the question" within which the sense of it is determined. This is not an arbitrary procedure, but is related to the answer that is expected in the text, because the person asking is part of the tradition and regards herself as addressed by it. However, since a text does not speak to us in the same way as another person does, we have to make it speak through the opening to the experience of history, that is, the "effective historical consciousness which leads us to the fusion of horizons" in our understanding of the text (Gadamer, 1982; Oh, 1986).

Gadamer proposes that it is through the "proper achievement of language" that this fusion of horizons in our understanding can take place at all. This perspective gives language a central place in hermeneutics. Gadamer's reflection on language parallels his reflection on prejudice. As in prejudice, there is a penetrated experience of belonging in the sphere of language. Gadamer's insight on language can be captured by his single sentence: "Being that can be understood is language." (Gadamer, 1982, p. 432). This insight brings to light the primordial kind of belonging in our experience of language. As Gadamer wrote: "Language is a central point where "I" and "world" meet or, rather, manifest their original unity" (Gadamer, 1982, p. 431). Thus for Gadamer, the hermeneutic problem was not a problem of the correct mastery of language, but that of correctly coming to an understanding about what happens in the medium of language.

In summary, we might say that for Gadamer, understanding is always an historical, dialectical, linguistic event. There can be no fore-ordained method for genuine understanding because such understanding can only be gained through a way of access which genuinely belongs to that of which understanding is sought. The experience of "negativity" of "not-ness" is often the point from which new understanding breaks forth. The highest understanding between people is achieved when the other is neither regarded as a type nor as one for whom one can claim superior understanding, but rather when one sustains relationships dialogically, in open conversation, acknowledging the other's equally valid claim and participation in what transpires in the space between each other.

Summary

In tracing the rise of the hermeneutic tradition certain themes emerge about which all of the preeminent thinkers discussed here express similar concerns. In general, the central issue is the manner in which meaning, language, and history are interrelated. In the early years, questions surrounded the way in which the messages of scripture could be extracted and interpreted in such a way that the original meaning could be preserved and shown for the purposes of authenticating contemporary doctrinal formulations about the way "life actually is." It was Schleiermacher who urged that no part of scripture could be understood separate from the originating vision that informed the whole. Also it was necessary for the interpreter to understand himself as participating in the same creative spirit as the original authors, and to realize that true interpretation of ancient texts is possible only by virtue of the fact that interpreter and author share a common humanity. Interpretation, therefore, takes fundamentally the form of a dialogue. Schleiermacher understood the essentially dialogical nature of authentic interpretation.

Dilthey's interest in hermeneutics arose out of a perceived crisis in culture, namely that in terms of human knowledge and understanding, life and thought were drifting apart through the separation of "hard" scientific knowledge from its fundamental human rooting. In attempting to retrieve the essentially human basis of all knowledge he took over insights from the hermeneutic traditions as a possible way through which the fullness of man's experience could be understood. Dilthey saw life itself as a text and affirmed the dialectical nature of human self-understanding. He emphasized the temporality of all human experience, that is, that everything we do as human beings lies within a horizon of past and future. There is no such thing as an ahistorical man.

In Dilthey's view, language was the consummate expression of human experience, and as such was that which bonded the human community together. Language both transmits and stores the social and cultural heritage in which we participate, so that in language it is not simply my experience or your experience that is being expressed, but our experience. It is this essential commonality of all experience expressed through language that makes understanding between human beings possible. Yet the commonality is built out of common experience in concrete situations, so that understanding itself is possible only when human action is seen in the context of its situatedness. As such, however, understanding is always an on-going approximative process, inevitably circular, as the interpreter understands incrementally, the relation between action and context.

Heidegger took up the question of understanding but reformulated it not as an epistemological question but as an ontological one, that is, human understanding is at bottom a question of what it means to "be" human. For Heidegger there could be no distinction, as Dilthey argued there was, between understanding in natural science and that in the human sphere, because understanding is itself a mode of being in the world. It lies ontologically prior to every act of existing. Like Dilthey, Heidegger was concerned that contemporary thinking was becoming incarcerated as a form of technical knowing, in which truth is understood largely in presentational terms. That is, thoughts, actions and truth statements are understood as merely ingredients in experience to be manipulated and controlled at will. Thinking is a matter of placing an idea before the mind's eye and truth is construed as the proper manipulation of ideas.

Heidegger argued that such a view was based primarily on a misinterpretation of Plato. He sought in the pre-Socratic philosophers a notion of truth as fundamentally an expression of Being itself. Taking the Greek word for truth as disclosure and unconcealment, Heidegger argued that understanding is that which occurs when the hiddenness of being is brought to light or is allowed to show itself. He redefined the hermeneutic endeavor in phenomenological terms with the notion that the ground of all possible knowledge is found by returning to "the things themselves," as the things themselves disclose themselves not in consciousness but in their manifestness. Phenomenology involves letting something show itself as it "is," wherein to understand hermeneutically means " being led by the phenomenon through a way of access generally belonging to it."

For Heidegger, that way of access is language, for it is in language that the being of Being reveals itself most pristinely. Language is not simply a tool that human beings use for their own purposes in communication or as a literary device. Rather language is that which lets man be man. Man is the servant of language, not the reverse. It is in language that everything that is human -- the "beingness" of human "being" is expressed. Man's past, present, and future hopes are all shown through what he says. To understand human "being" therefore means to see into what is being spoken. It is to hear the Word behind the words.

As a student of Heidegger, Gadamer develops more fully these themes of truth as disclosure and language as the showing of the being of man. But more crucially, Gadamer deepens the notion of man's fundamental historicity. As we live in history, so human knowledge and understanding are always reflective of our historical situatedness. Genuine knowledge of what it means to be human, therefore, requires an attitude of one person to another whereby one allows oneself in a sense to be claimed by the other's otherness. Yet we do not "speak across" to the other in acknowledgement of our fundamental separateness, but rather become open to the other in acknowledgement of our mutual participation as historical actors. Gadamer echoes Schleiermacher here but goes beyond him by stressing the relationship between such deep understanding and its essentially emancipatory character. It is through being open to the otherness of others that I become aware of my own limitations, of my finitude in time and space. But that very awareness "breaks me open" so to speak, even more to the meaning and possibilities of being. It is dogmatism and methodological certitude, in the name of truth, that enslave man and suffocate the disclosure of being itself. That is why for Gadamer truth and method must be separated. Truth eludes the methodical man, for at its heart, truth is dialectical. Method can render only the kind of truth already implicit in its method, even though method itself is not arrived at through method, but dialectically, through a questioning responsiveness to the matter being encountered.

Having outlined the emergence and development of the hermeneutic tradition as I understand it, my task is now to articulate its relevance to the interests of the current investigation. The first interest is to approach spousal homicide and its aftermath in a manner genuinely attentive to its manifestedness as "lived-experience." The second interest is to interpret that manifestedness in a way which is faithful to its own essential nature. In the next chapter I outline how the insights of hermeneutics infused the procedures and guided this research towards these endeavors.

IV. Hermeneutics Infuses This Investigation

The motivating interests and concerns of this project reflect the author's own history of and satisfaction in encountering others with openness and questions that have led to new and different understanding. In particular, as a therapist, I have been involved with others from a variety of walks of life, situations, and circumstances that I could not presume to "know" but could meet from my experience and willingness to listen. Recognition and respect for the client both in his or her diversity and resemblance opened fresh and shared horizons such that new perspectives and possibilities unfolded in the therapeutic exchange and beyond. In some ways my therapeutic style can be described as hermeneutic as I have come to understand hermeneutics. Thus it followed that there should have occurred a fusion of a hermeneutic mode of inquiry with my pursuit towards an understanding of spousal homicide and its aftermath. For me, the hermeneutic tradition offered an orientation that could bring to form the spirit of the accused's experience as it met with my own and thereby reveal it as an expression of man's "being" in this world.

In this chapter, I attempt to articulate how hermeneutic philosophy served as my vehicle for understanding spousal homicide and its aftermath in this investigation. I describe the principles and intentions that infused the procedures of this study as they had coalesced and crystalized through my understanding of hermeneutics. These included the expectations I set for myself with respect to creating a situation prolific to enhanced understanding through the dialogical engagement of a man experiencing this event and through subsequent encounters with the text of these conversations. This chapter contains my account of how these guiding principles and insights were applied and were directed towards the most essential challenge of this project -- the translation of my evolved understanding into written form: an invitation for others to search their own understanding and engage in the dialectic.

Pursuing the Question Hermeneutically

The beacon for this journey was the pressing question: *What is the experience of spousal murder and its aftermath as it lives for the accused?* It signalled for a description of the lived-meaning that event holds. It warned against a search for "objective" truth but rather encouraged a search for understanding of this man's subjective experience. It required an approach of inquiry that was descriptive, reflective, and sensitive to uncovering meaning. Accordingly, it was in the tradition of hermeneutics, the philosophical exploration of the nature of understanding, that this investigator found the context for pursuit. From this perspective, understanding was conceived as having to do with lived experience rather than empirical knowledge, dialectics rather than methodology. The purpose, understanding, was to participate in and to open up the text so as to yield an understandable text.

Finding meaning in the works of Schleiermacher, Dilthey, Heidegger, and Gadamer was to invite a redirection from prominent traditional orientations in marital violence research. Schleiermacher's identification of the unifying creative spirit between interpreter and original speaker; Dilthey's emphasis on the fullness of man's experience, expressed pre-eminently in language as the basis for understanding; Heidegger's idea of truth as disclosure; and Gadamer's insistence upon "effective historical consciousness" as the dialectical ground of knowing are antithetical to commonly accepted analytical conceptions of research, based as these are on the fragmentation and isolation of experience, objective observation, the manipulation and control of variables, hypothesis formulation, experimental testing, and the presumption of universally valid context-free generalizations (Palmer, 1969).

I share with these four men and others who have interpreted their works, a dissatisfaction with such analytical notions of research. They had voiced a conviction that these conventional styles are not merely limited in their usefulness, but in a fundamental way are based on inadequate philosophical assumptions about "the way things really are," and hence somehow responsible for the most profound alienations in modern life: the alienation of knowledge from action; of theory from practice; the separation of the knower from the object of knowing and the things of the world from one another; and most crucially, the separation of knowledge of events from the meaning of these events (Bain, 1986; Carson, 1984; Holmgren, 1988; Palmer, 1969; Smith, 1986).

It can be noted that it was within these historical contexts that the ideas of these men were formulated. It was their own sense of "not-ness" that led them to pursue different conceptualizations of understanding. It was their criticism of the limitedness of research that prompted pursuit of new ways of "understanding" to unleash man from narrowness of perception. My understanding of their works, in turn, offered inspiration and guidance in my pursuit towards an elaborated understanding of spousal homicide and its aftermath.

The Spirit of Inquiry

The matter to consider was how the insights of the hermeneutic tradition could guide my journey into the world of spousal murder and its aftermath. I wanted to explore the question -- "What does it mean for a man to have murdered his wife and to now be dealing with the consequences?" -- in a rather special way. I did not want to view this event as an object of inquiry in isolation, suitable for study and research manipulation, but separated off from any self-reflective engagement. I wanted to leave open the question of the discreet nature of this disturbing landmark in an attempt to penetrate the ontological unfolding of its meaning in the life of a human being who abides there and, of course, also abides in the broader world of humankind.

Similarly, I wanted to understand "understanding" in a different way than usual. My search for what it means to "understand" this event did not begin with a belief that at some point I could claim to have arrived at understanding and then call myself "expert." Rather, I wanted to understand "understanding" hermeneutically, that is as the ontological disclosure of what it means to be human -- what it means to live as a human being. So that a claim to understanding spousal homicide and its aftermath hermeneutically could not be divorced from a showing of what it means to live this event, for "hermeneutic understanding" is that which unfolds in the dialogical engagement of one life with another. I sought understanding not as something to be held by one about another in any particular situation, for example, in this case held by myself about the accused, but rather as something held between us -- in and of our living situation.

Therefore, exploring the topic hermeneutically required a change of attitude from any tradition which would claim to be able to "know the facts" of a given situation apart from an owning of oneself as inextricably a part of that situation. I recognized the landmark of inquiry -- spousal homicide and its aftermath -- as part of the same world from which I came as researcher. My hermeneutic endeavor involved a form of reconciliation in which the accused and myself were to be bound together in a common search for common understanding.

My interest in this event carried with it some preconceptions. It was this fore-understanding that was to play a large part in my interpretation of the conversational text and that was at risk in the hermeneutical encounter. While researchers using positivistic, empirically based approaches have tried to eliminate these presuppositions and biases in their striving for knowledge about marital violence, from a hermeneutic stance I considered them vital to the process of understanding and interpretation. In Gadamer's words: "To interpret means precisely to use one's preconceptions so that the meaning can really be made to speak to us" (1982, p. 358). Thus, a hermeneutic approach required that preconceptions, rather than being denied, were made clear and put at risk of being changed or dismissed as a result of the encounter.

For me a hermeneutic journey towards understanding implied a relation of active involvement with others, of the necessary projection of the self into the "otherness" of surrounding humanity. I understood it to be a profoundly affective relation to which Heidegger referred as "caring care" involving authentic "self-realization" and "selfharvesting" (Heidegger, 1962). From Gadamer's work I understood the appropriate hermeneutic attitude to be one of "fellow-feeling" issuing not simply out of empathy, or a projection of oneself into the mind and being of others, but rather from a recognition of the essential human unity in the world. As he put it: "The world is the common ground, trodden by none and recognized by all, uniting all who speak with one another" (Gadamer, 1982, p. 288).

Hence, hermeneutic inquiry into spousal homicide and its aftermath was to involve an awakening of that held in common, a "fusion of horizons" (Gadamer, 1982, p. 340), which is not a "getting inside another person, or the immediate fusing of one person in another" (Gadamer, 1982, p. 404), but "an agreement about the object of dialogue" (Gadamer, 1982, p. 345). Furthermore, to reach an understanding with the other in dialogue was to be open to change, self-questioning and self-expansion: "not merely a matter of total self-expression and the successful assertion of one's own point of view, but a transformation into a communion in which we do not remain what we were" (Gadamer, 1982, p. 341).

Questioning the Question

In using the insights of hermeneutics, my search for understanding was to be realized most essentially in questioning, but again questioning as understood in a way different from that usually found, for example, in behavioral science models for interrogation and interviewing. Heidegger insisted that it is in questioning that human nature comes to itself. He viewed questioning as not simply a tool to be used for other purposes but as fundamental to authentic existence:

> Only as a questioning, historical being does man come to himself; only as such is he a self. Man's selfhood means this: he must transform the being that discloses itself to him into history and bring himself to stand in it (Heidegger, 1964, p. 143).

In hermeneutic questioning, one opens oneself to "being." Hermeneutic questions are the antithesis of questions used, for example, in cross-examination which aim to provide proof of pre-established determinations.

The concept of the question, therefore, was important in this journey. The question arose out of and in the midst of experience and was part of the "logical openness which characterizes hermeneutical consciousness" (Gadamer, 1982, p. 325). This questioning and openness were to "find their fulfillment in a radical negativity: the knowledge of not knowing" (Gadamer, 1982, p. 325). Thus I approached this endeavor with a knowledge of not knowing but also with some knowing. I recognized that I would find spousal homicide and its aftermath to be different than I first thought and I would reach deeper understanding through an openness to know it as it presented itself in the hermeneutical experience.

Hermeneutic questioning was sponsored in my genuine desire to know. In order to be able to ask, I truly had to want to know, which, as Gadamer said: "involves knowing what one does not know" (1982, p. 326). To ask a question hermeneutically means to bring something into the open, to achieve a true openness. The openness of the true question consists in the fact that the answer is not settled. A question that does not achieve such an openness is a "distorted" question, an "apparent" question which will inhibit genuine disclosure or an authentic bringing into the open. I had to be wary of questions that might serve to hold on to false pre-suppositions (Bain, 1986; Carson, 1984; Holmgren, 1988; Palmer, 1969; Smith, 1983).

I did not consider hermeneutic questioning to be a technical skill that I could adopt as a way of mastering knowledge. Rather I viewed it as a kind of "art" which did not pre-suppose its end. By insisting on the priority of questioning, I hoped that the question would free itself, and that which was laid open through its own activity, from the power of opinion, the power of prejudice and prejudgment. From my reading of Gadamer, I understood that the true question could unfold in my encounter and would "come" to me --

"arise" or "present itself" (Gadamer, 1982, p. 329) -- more than I could raise it or present it, and would do so out of the power of that which presses itself through authentic dialogue to a hearing. Hence, true questioning was to be engaged in as more of a "passion" than an action (Gadamer, 1982, p. 330). I needed to be open and responsive as the question pressed itself upon me in such a way that I could no longer avoid it and persist in my accustomed opinion.

Gadamer proposed the concept of a game as the model which best revealed his dialectical hermeneutics. His notion of the game provided a model of a structure which has its own autonomy. Participation in the game brings it into being and yet the game has its own movement independent of its players. It comes into being through dialectical interaction, through common immersion in a world, the creation of which extends beyond the horizons of its individual participants (Palmer, 1969).

A game is experienced or understood differently depending upon one's standpoint in time and space. Gadamer stressed the historicality of understanding. That is, he argued that understanding is intrinsically temporal, it is always a seeing of the world from our particular immersion in tradition; from our situatedness in our past, our present, and our future. Because we bring our individual history to the process of understanding, understanding is always "in terms of," "in relation to," and "within the context of." Thus for me there was a recognition that meaning is not a changeless property of an event, but is always "for us" -- meaning for someone in a particular time and place. In the process of questioning the question, I was aware of and respectful of its infinite meanings, its independent momentum, and its shifting sands.

I regarded the process as basically interpretive. In a fundamental sense the act of listening and interpretation was to understand the question which the conversation attempted to answer (Gadamer, 1982). The act of interpretation was inherent in the continuous dialectic between question and answer. It was in this sense that the initial question was inevitably refined, elaborated and re-quested throughout the whole process of the hermeneutic inquiry.

Conversation: An Opening to Understanding

My willingness to elaborate my understanding began from the knowledge of not knowing. I recognized the journey towards understanding as ambiguous, temporal, and inexhaustible. I was prepared for an ever-expanding process of questioning, interpreting, and questioning. Understanding was to emerge through the potentialities of myself and the co-participant to participate actively in the hermeneutical dialogue. It began with a question, the knowledge of not knowing and certain pre-understandings. It proceeded with an openness to engage in conversation. It was understood that both partners met through and were directed by a common topic. The inquirer acknowledged the horizons of preconceptions, and tried to suspend their validity while remaining open to the horizon of the conversational partner.

To journey effectively in conversation with the accused was not to set off with a fixed itinerary and clear destination in mind. Dialogue was the means of transport and to be engaged in genuine conversation was not something that already had its end in view at its beginning. Rather the conversation was to sustain its own vitality in a way which could not be determined in advance but only as it was negotiated, in the midst of its mutually unfolding vision. The conversation occurred in the context of the investigator's fore-understanding that each of us is born into a world, into a situation, into a conversation which already exists. It is into the middle of this on-going human conversation that we arrive, and it is in the middle of it, too, that we try to orient ourselves. Our orientation in the world is something that emerges conversationally with all around us. My hope was to open up the living conversation between myself and the accused and make it more explicitly central to my reflection of what it means to be living in the aftermath of spousal homicide.

As such, this was to be an exercise in hermeneutical inquiry. It attempted to show what Gadamer describes as "the conversation which we ourselves are."

To experience the encounters with the accused as "genuine conversation" was to illuminate that which was held between us. The desire that we "stay together" in the conversation was to be achieved through ever deepening questioning. It was the topic of conversation, the true search for its true topicality which was to sustain the conversation itself. For me, the conversation was to be the art of testing that which was opened up through questioning -- "not as the art of arguing, that is able to make a strong case out of a weak one, but the art of thinking that is able to strengthen what is said by referring to the object" (Gadamer, 1982; p. 331) of the conversation. What could then emerge in its truth is what Gadamer described as the "logos:"

> . . .which is neither mine nor yours and hence so far transcends the subjective opinion of the partners to the dialogue that even the person leading the conversation is always ignorant." (1982; p. 331). The art of the conversation in its dialectic, was the "working out of the common meaning" (Gadamer, 1982; p. 331).

My questions were intended for no other purpose than a way of opening up and clarifying the topic under consideration such that there was felt a genuine understanding between the partners as the conversations unfolded. The conversational partner was to be encouraged in his speaking. He was regarded as integral to my enhanced understanding. I was prepared to abandon myself to the encounter and become immersed in the experience.

The understanding that would emerge through conversation with the accused was accepted as temporal, unfinished and open to further questioning as captured in Gadamer's quote:

> . . .we may ask whether or not we ever arrive at the point where we understand what really is. . .precisely because this dialogue is infinite, because this orientation to things, given in the pre-formed schemes of discourse, enters into our spontaneous process of coming to an understanding both with one another and ourselves, there is opened to us the infinity of what we understand and what we can intellectually appropriate (Gadamer, 1982, p. 493).

Conversations were to lead to further questioning and interpretation until a point was reached where there was a sense that the conversations were rewinding themselves, and that perhaps a new evolved understanding of spousal homicide and its aftermath had unfolded. This sense was spontaneous, though tempered with reluctance and hesitancy. The mixed feelings arose as they have on most of my travels, when it has come time to repack my bags. Stepping into foreign country brings a sense of enrichment and reduces "foreignness" but also gives rise to new sources of unsatisfied curiosity and a sense of curtailment, so, on this journey, as in my other travels, the author was torn by yearnings for "home" and temptations to stay.

It was in the nature of true conversation that it would never be completed because its very nature is to open up. I understood the sense of true questioning to be a thinking -- the essence of human vitality. The end of the transcripts were not to represent the end of the conversation in any true sense, but only an arbitrary point of termination for practical purposes. Such a mention points to my sense of the important difference between speech as it unfolds in conversation and its written presentation.

Spoken Word Becomes the Written Word

The hermeneutic circle of my journey was that process of interaction between my originating horizon and the visions that I encountered in the land of the accused. I came with preconceived notions which gave rise to my knowledge of not knowing and form to my question. Similarly my pre-understandings provided an entrance into the horizon of its meaning. Yet by taking an attitude of not knowing all into my encounter with the accused's horizon, I invited an alteration in my original understanding. The transformation in my preunderstanding -- the change in the questioner's horizon -- was to complete the hermeneutical circle and thereby touch the very kernel of hermeneutical experience. However, I did not entrust the transformation to occur exclusively within the spoken encounters. It was also to encompass encounters with the transcribed text.

The alienated quality of written language from the searching vitality of the spoken word was my focal hermeneutic interest in presenting the content of the conversations and my interpretation of them. Through my written presentation I desired to retrieve the conversational essence such that the reader would be urged to join into the dialectic.

In many ways the spoken word interprets itself. The manner of speech -- its inflection, gesture, pace and circumstances in which it is spoken -- all contribute to the way in which understanding in verbal conversation is accomplished apart from the pure mechanics of lingual activity. This recognition presented a particular set of hermeneutic considerations when the lived experience of spousal homicide and its aftermath was to be translated into written form. For writing, even as the simple conversion of speech into transcript, involves a form of alienation which has to be overcome if that which was spoken through the speech is to be made apparent. Yet speech and writing are not alien from one another as separate entities.

In spoken conversation, the achievement of understanding through the density of affect, intonation, and gesture is a relatively easy matter at the same time as being true to the essential character of human self-procurement through language. It is in the character of speech that it allows for self-authentication. The task of writing is not in contrast to the spoken word but rather is viewed as expressive of what Gadamer names as the "will to permanence" (1982, p. 345).

The translation of the conversations into written work was to bring me to what is of fullest significance for this hermeneutic project -- to discern that which was spoken through the speech and to make it speak again as a new voice. For me, this was the genuine artistic interest of my hermeneutic journey. I considered the art of writing as a coming to the aid of thought. The task of my hermeneutic writing was to give voice to the deep ontology of the accused's spoken words and by doing so in written form, stimulate ontological reflection beyond the confines of the original occasion to a place within the broader conversation of humankind.

Hermeneutics was originally applied to the interpretation of historical and ancient texts. In this project, however, the hermeneutical encounter brought the interpreter together not with an historical text but with another person, a "Thou," with his own individual history and horizons. The coming together of two human horizons without the element of temporal distance offered both advantages and disadvantages. On the one hand, the other horizon was more available -- it could speak to me with the richness of the living word, and the question that sparked the encounter could address the participants in its immediacy, catching us up in the momentum of its world. However, while temporal distance does allow certain prejudgments peculiar to the nature of the topic to vanish, it also enables those more essential to a true understanding to become apparent. Gadamer asserted that it is only with the passage of time that historical significance clearly emerges. The undertaking of this project was not intended to address the historical significance of the hermeneutical conversations. Its purpose was to bring to expression the being of a particular situation -- spousal homicide and its aftermath.

For me, it was in the written understanding that the true intellectual quality of language could be fulfilled. Hermeneutic understanding acquires its full significance when confronted with a written tradition. The symbols of writing always refer back to the symbols of speech. The fact that spoken language can be written down reveals its potential to go beyond its specificity. Yet, at the same time, because writing relates back to speaking, it must also reflect its essentially speculative nature. The rendering of speech to text makes public what is already inherent in speech itself -- the truth spoken in it is always only possible truth. It points, through its very specificity, beyond itself. But writing makes it possible for the ideational character of language to assume its full status. At the same time, however, the alienated quality of written language -- its alienation from the gestural and contextual density of its original occasion means that its signs need to be transformed back into speech and meaning. Not the transformation of speech back to its original as a form of recapitulation, reproduction, or reconstruction, but rather to its capacity, as written word, to speak again in new and present circumstances. Therefore the hermeneutic inquiry into spousal homicide and its aftermath required that the meaning of what had been spoken was to be stated anew, as a living voice. Thus emerged that particular hermeneutic responsibility which for me was the "art" of hermeneutic writing.

I understood authentic interpretive (hermeneutic) writing would have the power to call a reader into the truth of what had been spoken. The art of writing, like the art of speaking, is not, hermeneutically, an end in itself. Therefore, it was not the fundamental object of the hermeneutic effort. Genuine understanding was to be entirely taken up with what was being written about, what was called from or evoked by the written words. The object of my hermeneutic writing was not to be an artistry as a displaying of skill in the use of words, but rather an evocation of that which would in turn call the reader into dialogue.

My interpretation began with a concern for one-sidedness, which it sought to overcome, yet in the very overcoming would produce again in different form. As interpreter, I sought to bring what was spoken out of its singular voice into a more ideal form -- one which would make explicit that which may have been silent or needed still to be said. But by its very nature, interpretation inevitably puts too much emphasis on one side, so that something else has yet to be said to restore the balance. For trying to clarify ambiguity through written interpretation is in some ways to contradict the original occasion of its expression which is part of the vitality of the lived experience. The vitality of the lived experience is at risk in the process because part of that vitality is its ambiguity. As Gadamer (1982) states: "It is not the weakness but the strength of the oral that it is ambiguous."

The hermeneutic writing of this project was to be an attempt to lift what was spoken by the co-participant out of the burden of its specificity in its personal utterance such that it could be made to speak again within the broader conversation of the human community. The thrust of my endeavor at the art of hermeneutic writing was to show human conversation in its inexhaustible potential to evoke new understanding. The attempt was to be a kind of deliberate exaggeration. It was a gathering of the idiosyncratic and its remolding into a new form which was intended to have the power to speak again. The meaning of what had been said was to be stated anew, in the author's living voice. This new form was to speak again, not because it spoke in a necessarily fuller or more complete way, but rather in a new way.

The purpose of this hermeneutic endeavor is not to be fulfilled within its pages but in its calling out for understanding through the reflection and interpretation, the active conversational involvement, of the reader. It is intended to stimulate others to join the circle, for in what it conveys it also points to that which is not conveyed.

The above then articulates the intentions, insights, and principles which guided my entrance into and infused the practical procedures and experiences of the journey that transpired.

Proceeding Hermeneutically

The purpose of a hermeneutic mode of inquiry is to tackle the lack of immediate understandability of man's being in the world, that which does not "fit" into the customary order of our expectations based on experience. The event of this study that called out for my exploration was, on the surface, extreme and perhaps even outrageous -- alien to my everyday world. In many ways, as a manifestation of man's inordinate potential, it signified for myself an opportunity to tax and challenge my process of coming to an understanding as few other experiences could.

The differences between the conversationalists might be seen as radical and sweeping -- the current syntax of our respective lives so far removed from each other. We were strangers meeting for the first time. However, what might have repelled was in actuality the attraction: a desire to understand spousal homicide and its aftermath. The individuals involved in this conversation came from a shared world of "taken-for-grantedness" and it was the disturbance of this context that gave orientation to the dialogue. There would be no hermeneutical task if there were no mutual understanding that has been disturbed, and that those involved in a conversation must search for and find again together. That we should be coming from two different poles of experience seemed only to strengthen the magnetism of our journey. A consequence of this, or so I believe, was that neither of us took the description of reality as any reality except that of the teller himself. We used each other to learn about the experience, to learn about ourselves. I did not see myself there to translate or evaluate his words, nor to research him but to give myself over to the contemplation of his voice and language, his profound effort to articulate his experience, his genuine struggle aided by his obvious intelligence but also hindered by his frustration, fear, sorrow and self-conscious humiliation.

In this study, the hermeneutic process for understanding spousal homicide and its aftermath as lived experience can be described as a winding journey through three indistinct and overlapping phases: (1) bringing the experience into language: conversational encounters between listener and teller; (2) listening to and interpreting the spoken and unspoken word: encounters with the tapes and transcripts; and (3) understanding the words as they speak beyond themselves: the fusion of horizons.

In Hermeneutic Conversation

Ethical Considerations. In the first phase, the accused consented to his involvement and participation as conversational partner. Because of the open-ended nature of this inquiry with its potential to uncover and explore unforeseen dimensions in the life-world of the co-participant, ethical concerns were primary and were given careful consideration by the author and the ethics committee of the University of Alberta as well as by the accused. The consent form (Appendix A) was drawn up in consultation with a professor in the Faculty of Law at the University of Alberta, and with the lawyer of the accused. An effort was made to anticipate issues that might arise, to assess their possible impact and repercussions upon the participants. This precautionary process caused some delay in initiating the project but provided opportunity for strengthening the sense of how "real" and how "living" this event is. It served as a time to reinforce consciousness of humanitarian principles that should be at the foundation of research and that I believe are especially attended to through the attitude of inquiry that guided this investigation. It is one of respect and appreciation for the investment of the co-participant and the desire that some kind of mutual satisfaction be derived.

It can be noted that when the accused was presented with the ethical and moral concerns that required his consideration, he expressed doubt that his anonymity could be maintained. He was nevertheless willing, even anxious, to have his own voice heard particularly given that judicial accounts of this event were already open to public reading: accounts that did not necessarily convey his story as he lives it. It became increasingly clear how critically he desired understanding from others (intimates and strangers) and from himself. In the following introduction of the accused to the reader I have endeavored to protect his privacy and identity. I have aimed to describe briefly his "landscape," that is, the situatedness and context out of which the speech comes. I have also included a description of his presentation of self as revealed through the conversation event.

Introducing the Co-participant. The individual who consented to participate in this project had been accused, convicted, and was awaiting appeal of that conviction for the murder of his wife. A description of this man before the event might depict any man, or perhaps, more accurately the ideal of many men. A man in his forties, he excelled in his career, enjoyed a healthy income, lived in a luxurious home, drove a fine car, had a wife, three children and a dog. He took walks in his neighborhood and went hunting on long weekends. He dined in expensive restaurants and attended fancy parties. He went to his doctor for annual check-ups and came back with clean bills of health. But obviously this external picture contains many unseen dimensions that finally erupted and disturbed the image of this man's world.

The accused had been living this event for one and one half years during which time he had been remanded, psychiatrically assessed, hospitalized, and medicated with anti-depressants; tried, convicted, sentenced, and incarcerated. At the time of the conversations he was awaiting the appeal of his conviction at a medium security prison.

Face to Face. A series of five conversations over a period of three months comprised the "data." Permission was granted to tape record the conversations. Each conversation was of two and one half to three hours in length, yielding approximately fifteen hours in total. Two or three weeks was the average lapse between conversations. The conversations took place in the same prison room on all occasions. The room was stark and clearly institutional. Privacy was accommodated with minimal interruptions. We sat across from each other at a table; the accused facing a barred window that viewed another wing of the institution, myself facing a windowed door into the hallway.

Wearing prison uniform, clean shaven and hair conservatively trimmed, the accused most often arrived having just come from the shower. He was of average height and weight, of healthy color and complexion. His eyes were clear, vivid blue. They spoke of a vulnerable spirit and certain sadness even in the midst of expressed anger. Often he closed his eyes while he spoke. His intelligence and advanced education was evident in his vocabulary, abstractions, analogies, and references. The various inflections and intonations of his voice were wide-ranging -- at times flat, whispered; at others, highly animated. He would emphasize a phrase by raising his voice or speaking very slowly, very deliberately. The frequent insertion of my name in his dialogue communicated a poignant appreciation, dependency, connection and trust. He often took deep sighs and frequently collapsed into sobs. He used his hands -- gazing at, wringing and rubbing his fingers; clenching and banging his fists.

Distractions came by way of sounds of other inmates and visitors and intercom announcements. However, these were often imperceptible because of the absorption of the participants in conversation. At times the accused would speak as though talking directly to his wife, children, or others he encountered on our journey. The bringing to language was to render the living quality of the experience -- past, present and future. Frequently, the conversation would flow with statements begun by myself and completed by the co-participant. The conversation had taken its own life. It was a feeling that Gadamer had suggested. We had lost ourselves, similar to being lost in a game, though it remained painfully evident that this was no game. The accused referred to his need to engage and participate in the encounters. In making this claim, he seemed to reveal to himself some hope -- a desire and purpose to come to self-understanding and to bring others to an understanding. The encounters contained a harshness and resentment projected towards those who would not or could not hear. But they also contained a gentleness and caring directed towards myself in my willingness to hear. I had a sense of our two separate worlds connecting. So much of our connection was the sharing of our separateness. In our mutuality there was always an awareness of our uniqueness and thus our aloneness. The struggle to "be," of "being" -- unique and alone but within a complexity of relationships in which we are born, in which we live our lives and in which we die.

Before, In-Between, and After the Face to Face. Though this describes and delineates the concrete occasions of the encounters between myself and the co-participant, the conversations were not confined to this room. The conversations perpetuated in the mind of the author far beyond these walls. The drive to the institution took two hours each way and these hours became part of the hermeneutic encounter -- a time of isolated reflection, allowing for impressions to crystalize, words to be recalled, thoughts to sift, and feelings to be identified. Often these hours represented the merging of my personal world with the world of the accused. Some of the most powerful insights occurred during these drives and I can feel some frustration that they were not recorded directly so as to be contained in their purity within these pages. However, as the process of understanding is difficult to articulate and elucidate, undoubtedly the process of reconstructing the conversations incorporated many of the powerful moments that occurred on the highway there and back. These moments intensified the impact and experience of listening to and transcribing the tapes. These latter activities took place between conversations.

Transcribing the Conversations. The recording of speech on tape, in a sense, stands as an intermediary between spoken word and written text. On the one hand, it reflects that "will to permanence" to which Gadamer refers as the essential feature of the written word. At the same time, however, it has no interpretive power, no voice of its own which is able to speak beyond what is spoken, which is the true function of literary work.

The value of the tape recording of speech lies in its power to reproduce the spoken word in a more dense way than verbatim transcripts are capable of doing. For interpretive purposes when the spoken word was re-heard, what became available through the tape, apart from the explicit words, was a variety of contextual elements such as background noises, unnoticed vocal inflections and tonalities of speech. All of these could be brought to bear in a more genuine hearing of what was being said.

Transcription required that I attend to every word, sound and silence recorded on the tape. It became apparent at times during this activity how many elements within the encounter could be lost without the aid of recording. As one is engaged within the flow of dialogue, it is possible to be swept up by the words and mood as they spark internal responses that may never be articulated and addressed during the dialogue. Furthermore, at these times the power of the triggered response may launch the listener into a direction that distracts and departs from the expressed experience of the speaker. The feeling of "staying together" in the conversation can be an illusion, challenged by this awareness. What one thinks one heard at the time can be reheard quite differently when it is methodically reviewed in the activity of transcribing. Transcribing thus served to recall some of the triggered responses as well as to re-open a hearing to the original utterance. This experience gave recurring rise to acknowledgement of my own point of entry into the encounters and accommodated a confrontation with my own attitudes, biases, and prejudices as they aided or interfered with my hearing and openness. It also brought to clearer recognition the involvement of my own horizon in the process of reconstructing the conversations for presentation within these pages and in the formulated understanding that was simultaneously emerging.

Throughout I was constantly aware and reminded that there are many contaminants to one's process of listening and understanding. I wondered how I might have heard differently in a different context. I wondered how the conversations would be edited, condensed, rearranged, extracted and quoted from if I were male; if I were single, childless or if my children were of a different age; if my marriage were empty, conflictual, or even abusive; or if I were not enduring my own grief process. I would certainly have approached the encounters with a different attitude and understanding and the "hard content" of the conversation would be different as would the eventual presentation. However, I appreciated that this is the density of my landscape with its own landmarks that are essential to my understanding and interpretation, and can challenge others to join into the conversation.

Reconstructing the Conversations. The process of creating a coherency and unity to the conversations is difficult to describe and is not always pleasant or satisfying. The emotional impact of the words and silences as they are originally heard, re-heard, read, and re-read can be deeply felt but at a variety of levels, each of which is luring in its own way. Judgements had to be made at many turns and corners and there was a sense of leaving something behind or of denying some aspect of the conversational journey when the decision was made to go in any one of the compelling directions. Throughout the process there was a sense of entering the world of the accused, almost as though living his world as it filtered through my own history, emotion, and intellectual grip. This process of coming to live the conversations occurred throughout each phase of the inquiry and continues.

Thus, the presented form was created and constructed in both a formal documentable manner as well as in subtle reflection. The pragmatic construction was the process of transcribing, reading, reading and listening, writing summaries, highlighting phrases, and cross-referencing by splicing and pasting. Often these practical exercises felt uninspired and forced, frustrating and at times nearly defeating, the spirit and "life" of the project lost in the structured intent.

The subtle instances occurred often unexpectedly when apparently extraneous activities, thoughts, and events would bring back the words of the accused, penetrating my own horizon, and calling for reiteration. These unplanned intrusions of the accused's world into mine left me again with a sense of having lost some of the meanings that might have been highlighted in my presentation. In the trying to make it "happen again" upon an empty page, was also the enforcement of a method with its goal and, as Gadamer had warned, the risk was that the method would outdo the "truth." Furthermore, with the constancy of this project as an event in my life, no matter in what else I found myself engaged, many of the messages from the conversations that were intruding began to feel too obvious to be explicated in the discourse. I needed a distancing from the subject that was dimly forthcoming.

Hermeneutic philosophy again was helpful to me in that I was reminded that the obvious often remains hidden in our awareness and thus it is useful to make clear that which may be taken-for-granted. And so I continued the arduous task, formally and informally, of extricating and condensing the conversational content into a manageable presentation. In this task I tried to avoid doctoring or eliminating the substance, vitality and spirit of the conversations in my loyalty to the speaker and to the subject.

Discovering the Metaphor. Description of this process -- onerous, delicate, exhausting -- must also include its highlight. In my labours I ventured off onto a number of tangents which at the time seemed to be to no avail. However, I have learned that these detours brought forth useful insights, eliminated distractions and shed clarity on my search.

I had to find what did not work before I found what did work. Whenever I was forced to start afresh, I always started a little differently as a result of the wanderings. I had become aware that I was having trouble trying to break down the conversations into themes. I kept struggling in this effort until finally it became clear that it was not the content of the conversation that was its essence but rather the process of the conversation. When I pursued a theme -- collecting data that "fit" -- I would find myself dissatisfied. And then it started to become clearer and clearer that the subject matter did not matter. Each subject or theme brought me back to the beginning. My search for understanding had become vicious. And there it was -- his process. I had joined into the vicious circle. The unleashing of my understanding as it merged with the horizon of the accused. I had discovered his metaphor -- the runaway train. It was then that I no longer experienced the struggle but felt the flow -- a synchrony -- I had been taken over as the runaway train led me towards an evolved understanding. The potential lifelessness of method overcome by experience. The livingness of the event captured and felt.

The presentation of the conversation is therefore a different and transformed version of the encounters with the accused. The reader may quarrel with the author's emphases but I hope the reader can have confidence that the effort invested was sincere and derived out of genuine engagement of the accused's being-in-the-world with my own being-in-the-world.

The Hermeneutic Writing

Finally, within the overall itinerary, the author attempted what is for her the most important trek of this journey -- what was referred to earlier as the "art" of hermeneutic writing. Hermeneutic interpretive writing, in its highest sense, consists in what Gadamer describes as a "being led to think the material through" (Gadamer, 1982) to its true object. There is an art of writing that "comes to the aid of thought" (Gadamer, 1982) and it is to this the art of understanding is allied, largely through the inherently speculative quality of all language and its evocative calling.

Even though deep attention was paid to the subjective voice of the co-participant in this study as presented in the reconstructed conversation, I was aware that what came into language was something different from the spoken word itself. A word is a word only because of what comes into language in it. Whatever is said is held together, in the unity of one meaning, with an infinity of what is not said. My felt challenge therefore was to ensure that what was said was to be understood in this way, in the fullness of its spoken and silent unity. This is what gives to hermeneutic writing its inherently speculative quality. "Speculative" is the antitheses of the dogmatism of everyday experience. Hence the truly hermeneutic imagination does not abandon itself directly to the tangibility of words and appearances, or to the fixed determinateness of the meant but is able to reflect that which brings to fullness what lies silent. As Gadamer (1982) suggests, "every word causes the whole of language to which it belongs to resonate and the whole of the view of the world which lies behind it to appear." The occasionality of human speech is not a "casual imperfection of its expressive power." It is rather the logical expression of the living vitality of speech that brings a totality of meaning into play without being able to express it totally. All human speaking is finite in such a way that there is within it an infinity of meaning to be elaborated and interpreted.

It is this sense of the infinity of meaning in finite human language which, for me, is the fundamental interest in the hermeneutic art of writing. Its product involves a detachment of what is said from the subjective opinions of both speaker and author, expanded into an ideality which alone provides the venue for its validity. It is precisely because the written interpretive word detaches the sense of what is said from the person saying it that the written word makes the reader, in his understanding of it, the arbiter of its claim to truth and understanding. Thus it is that the written word was, in fact, in a special way the true object of this hermeneutic journey.

There is implicit in all writing the claim that it can be referred back to speech, back to that to which itself refers, its true object. And writing, because of its necessarily one-sided presentation, finds its fulfillment only within the new conversation between reader and text. This is the particular weakness of writing when compared to speech, which is its capacity to fall victim to misunderstanding. But writing has its other side too, which is that it demonstrates with greater clarity the genuinely dialectical task of understanding. For as in conversation, understanding in written form must seek to strengthen the meaning of what is said, but it achieves this strengthening, this highlighting, through detachment, ideality, and emphasis which in turn finds its validation only within the eternal conversation of humankind. Hermeneutic writing conceived out of a genuine attentiveness to the speech of the individual participating in this study (a thinking through of his speech) is the concern of Chapter VI.

Summary

In summary, the winding path for this hermeneutic journey into an understanding of spousal homicide and its aftermath may be outlined as follows. Hermeneutic conversations were held with an individual who had been convicted of murdering his wife. These conversations were tape recorded and transcribed. From the conversations was developed a reconstruction built around what I perceived to be this man's metaphor, containing numerous quotations, interwoven with commentary and presented in narrative form. This reconstruction is intended to reveal the underlying passions and meanings that emerged for the interpreter while being faithful to the landscape, nuance and context of the dialogue, as well as loyal to the integrity of this man's life story.

The following chapter then, presents this man's lived experience of the killing of his wife and the aftermath of that event as shared by him through conversation and offered in a reconstructed form, and is the foundation and substance of the final chapter which is the author's attempt at the art of hermeneutic writing.

V. The Conversational Journey

In this chapter, my interest is to bring to speech the experience of spousal homicide and its aftermath as it has been expressed by an individual who is living this event and with whom conversations were held. Simply to present transcripts of the conversations would not necessarily represent a true fidelity to the fundamental nature and intention of the speech. For from a hermeneutic standpoint, the true nature of speech is always to speak beyond itself; that is, speech always points to that which is spoken through it. Not only does any person's speech always emerge from the context of a total life but also that life itself is already immersed in a world which grants to individual utterance the grounds of its own comprehension. So what is presented here can be regarded as an intermediary form of interpretation. It stands intermediate between the naked speech of the transcript and the eventual interpretation offered in Chapter VI. It is a reconstruction of this man's speaking as I heard its telling.

The conversations were potent in their feeling, mood and content. To find a guideline for condensing them into "presentable data" was a challenge and required that judgements be made by the author. As stated in the last chapter, judgements were made through trial and error, through practicality, and finally and most satisfactorily through a sense of discovery, wherein the sense of effort disappeared and was replaced with a confidence that the track being followed emerged from the "experience" of the encounter rather than from the goal or expectations of the investigator. Until I came to this feeling, I had instead a sense that I was imposing structure on that which had its own.

The meanings and messages that eventually came to be most vividly pronounced were brought forth to me through many hours of living with the conversations and allowing the words to penetrate with their own highlights and in their own depth. When I "experienced" this penetration of meaning there was a feeling that something so "simple" should not have been so "difficult!"

The figurative reconstruction that evolved and that is presented in this chapter, can be understood as a form of interpretive editing of the complete conversations. It is intended to give the speech of the conversation a focus by re-arranging, subtitling, and eliminating some of the distracting meanderings, redundancies, and repetitious phrases. It also tries to retain and portray the vital process it represents; to avoid a "static" presentation; to be faithful to the overall mood, flow, and direction of the entire speech. Thus, the reconstruction is organized around what I discerned to be this man's metaphor and is presented in an unfolding narrative form intended to give it a manageability without sacrificing the original words and the process of the teller. I have tried to enhance it further by commentary with the intent to recover more explicitly the meanings that are comprehended from the pull of my horizon. The organization and commentary represent my attempt to highlight and strengthen what has spoken to me through the speech.

The metaphorical reconstruction is developed from an attention to what becomes apparent through the conversational text, which is that the conversations were heard by myself as containing certain identifiable undergirding passions or preoccupations which lurk or float as organizing principles within the total conversation and out of which the language of living this experience speaks. Gadamer draws attention to the way in which meaning is disclosed in language, and to the way that particularly in narration "one can never exhaust what one can tell," but also what one tells through telling is not captured by the telling itself. The words and the speech merely provide the medium through which the deeper meaning of the narrative reveals itself. In the narration, the evocative nature of this man's personal account is frequently apparent. That is, it reveals how the speech is pointing beyond itself, pointing to the ontology -- the substance and meaning which is innocently hidden within it. Thus, in the presentation of the conversation, segments have been brought together in a narrative form for greater clarity and with the attempt to maintain the evolving sequence and to demonstrate possible progressions of thought or articulation.

Furthermore, the narrative shows itself to be the source for ontological disclosure as indicated by the commentary that is interwoven throughout.

Overall, through presentation in this form I propose to provide the conversations with a genuine speaking quality in a hermeneutic sense. That is, by organizing and reconstructing the conversations and intertwining commentary, the interest is to raise to a more prominent voice that which is latent in all conversation but perhaps not immediately apparent.

The Runaway Train

In the Prologue I described my originating horizon. From this entry point I was opened to the experience of the accused and prepared to go with him on a journey towards deeper understanding of spousal homicide and its aftermath as a living experience. From my armchair, I anticipated boarding his sailing vessel and voyaging into his sea. However, when I joined my fellow traveller there was no ship. We were ticketed on his railroad.

The encounter began with the co-participant expressing his sympathy to myself for the death of my father. His consideration brought tears and emotions to the surface -- a bridge already and very quickly, tentatively set in place. The co-participant then signed the consent to participate form. He expressed no hesitation in participating. Furthermore, he commented and reiterated that it would be impossible to keep his identity confidential. As the conversations unfolded it became clear that for him, in many ways, anonymity was not desired but, in fact, the contrary was preferred. His private world had already erupted and was accessible to the public through the court records. To articulate his experience outside of the formal rules and structure of the judicial system not only opened an opportunity to reveal to himself and to the unidentified reader his understanding, it also provided a means for telling his story and its deeply felt meanings to those for whom he cares and to those who care about him.

The conversations opened with an "openness" that was met with an openness and immediacy:

> Sheila: Let's begin wherever you are right at the moment.
> The Accused: [big sigh] I can't live as a murderer [choked, crying].
> Sheila: As yourself judging yourself or as the community judging you?
> The Accused: Do I think that I'm a murderer? No. Did I murder? **NO.**

There it was -- right at the beginning. His first words of the conversation should have given him away! They set the itinerary for the "runaway train" on its circular track. . . . He cannot live as a murderer but he continues to live as a murderer.

As alien as his experience might be, the accused's struggles are perhaps strangely familiar. In these pages, I have confined myself to laying out only some of those which are identifiable in his speech. Various descriptive words to name them come to mind -- both to my mind and to his. I think of binds, impasses, and webs. He describes "the treadmills," "vicious circles,"-- and the "runaway train."

> I think all the time. I think until the point -- [pause] -- the endless treadmill, *the runaway train*. And the only thing that has changed over time is that at first I was not able to stop *the runaway train*.. I don't know how or I don't know why I can stop it better now. To some extent it seems to be an ability to say -- and maybe this is the answer: I'll work it and work it and then just kind of put it away and then I'll come back to it. It seems to be that kind of thing. It isn't focusing on something else. It isn't just that. As a matter of fact, when I do something else like watch television I drift back to this. But when it gets to the point when I see what's going to happen -- that I'm going to explode -- to go just crazy -- [pause] -- then for some reason, I'm now able to say -- OK. I turn it off. I stop it. Maybe that is just another form of avoidance and withdrawal. --

In the presentation, I have remained close to the "data" in which these circular patterns appear and reappear. It is my attempt to reveal and depict these processes as they are experienced, over and over again, by a man in the aftermath of killing his wife. It is my proposal, therefore, to take the reader with me on this man's journey. We will board the train but not get off the train. The accused is our conductor. He finds no terminals. The accused had been travelling the vicious track long before the vicious event. In the aftermath, he attempts to unhitch his train -- break down his experience -- but he can only move from car to car. He has looked at the cars -- at the people, circumstances, and events in his life. He can find no compartment with an "answer" to his "why?". . . No exit from confusion.

It is not the "contents" of the cars but rather the underlying track -- the iron rails which become the ironies upon ironies -- his journey through "wonderland" to "nowhere land." Each car he explores serves only to remind him that he is on the train. It becomes apparent that it matters not which car he enters. It is the same train.

The journey I propose for the reader will begin in the engine car and will end in the caboose but the consistent frame of reference is the underlying iron rails -- "the ironies upon ironies,"" the circles within circles," and "the edges over edges." The tracks that lead to "nowhere land" or "never-never land" as the accused describes. While he inspects the cars he adds more rails to his circular track. If the track should be too short he risks the crash of engine and caboose. His journey is thorough and perpetual. As he feels that he has been "railroaded" by the outside world, his inner world won't let go. His journey on the circular track is constant, ceaseless -- perhaps eternal.

Each car is slightly different with its own aspects. The accused thinks of many tangents to offer explanation. He enters each car and describes what he sees and in his description he reveals his ties to the railroad. He can look at each of the cars to find some distinctions but they are all parts of the greater whole. They are all travelling in the same direction, at the same speed, on the same track, to the same destination.

__The Engine: "My Brain Has Got Me Where I Am."__ We come aboard the engine only for convenience because all of the cars are hitched together. The engine car does seem appropriate, however, because a train is led by its engine. The engine on this train is the accused's mind. He viewed his mind as leading his life.

The engine is filled with control panels: switches that can be turned and buttons that can be pushed. They work in conjunction with each other. If one should fail, emergency back-up is activated until such time as repair. The accused peruses the engine -- his mind. He looks at the control that failed. He wants to detect the source of its failure. He invested all that he had in creating an engine that he thought was invincible. He did not consider that stress, and wear and tear could do much damage. He did not realize that its capacity could be overtaxed and fuses could blow. If the engine sustained damage he wanted and believed it would fix itself. He had no contingency plan. He was not aware that he was running on and depleting his emergency back-up. He had no more back-up -- no technician, no mechanic. His engine was self-contained, destined for "break down."

> One of the things that I could not understand is how I could have -- I'm reluctant to say -- **let go** [loudly]. My brain failed. My brain failed me. My brain has got me where I am. My brain is what I am. How could it have failed me?
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> The experts tell me that I am not homicidal but when I read about the man who killed fourteen women in Quebec -- you know, I wonder if that's me. I mean, that's how bad it is for me. -- [crying] --
>
> I thought I knew me. I can rationalize that part I don't know. But it isn't me. How could somebody whose mind as good as mine is -- how could he have done this thing?

He is immediately tied to his circular track. He asks the first "riddles" as we set off.

> How could somebody like me have snapped in that manner? I was not acting rationally. We all think irrational things but this is just a complete loss. Listen to me. Listen to me. This is just a complete loss of self control. -- [crying] -- Is that the reason or is that the excuse? -- [silence] --

The engine car reveals the accused's reliance upon his brain: past, present and future. It displays his orientation towards cause and effect analysis, positivistic thinking and logical reasoning both in what he finds in this car and how he finds it. As the accused inspects the engine he begins by searching for the cause of the event and determines the cause to be the failure of his brain. He utilizes the tools of psychiatric and legal assessment in his effort to reach an understanding of why his brain failed. He is attached to several theories including: brain dysfunction, depression, alcoholism, personality disorder, and "spousal homicide syndrome."

> The most significant factor in my analyzing of myself was the organic brain dysfunction. It's that portion of the brain that deals with judgement, intents, emotion, mood, value judgements. The brain dysfunction was very, very significant when I found out. One thing -- and this is a terrible thing to say -- one thing that this process has done for me is that it has enabled me to understand what the brain dysfunction is doing to me. That of itself is probably enough to ensure that something like this won't ever happen again.

Though he searches for the key, the ignition is already engaged. The train is in motion on its circular track.

> That's something that unlocks the major key. The major key was how could my brain fail me? The answer is because, for whatever reason -- whether it's depression or alcohol or the reverse. That's where you get into the conundrum of which comes first. But that's why my brain -- to me, that's why the very thing that is my essence -- my being -- that I relied on -- failed me. That's my rationalization.

He reveals his inclination to adopt an intellectual, cause and effect analysis.

> I myself analyzed the contributing factors. If somebody had asked me on the stand: "Did I think the drunkenness alone had caused this?" I would have had to say: "No." "Did I think that the provocation had of itself caused it?" "No." But when the provocation, the depression, the impaired and the dysfunction are understood together --

Vital pieces of information that came forward for the accused in his process of self-assessment included the diagnosis of depression -- an illness of his mind. Prior to the event he had searched his mind to try to find what was wrong but his search did not take him to his mind. Even then his train was on a defeating track.

> There was no awareness before of depression.The furthest I got was that something was wrong but the last place -- call it conceit -- call it whatever you want -- but the last place I would look was in my mind. I looked for physical things. I had annual check-ups and all the rest. I looked for physical things. The last place I would look was in my brain -- [pause] -- I

> had no understanding. No idea of what depression was. After -- [pause] -- then of course I saw it in myself and I saw it in my wife.

Depression had affected his brain. His perceptions were askew. The train was stuck on its track.

> Depression is being frozen in time. Frozen in time. Frozen. Frozen in the situation where your perception is askew and you've got no recognition of the problem. Your perception is askew and your reaction to it isn't working. That is, if you can react. These were the little things where I couldn't force myself. Where I couldn't drive myself. With all the other things I would force myself and think that I was meeting and dealing with them. But it was the little things -- just sitting there and playing solitaire. Even I could figure out that something was wrong. But my thinking did not lead me to my mind.

Parallel to his track of depression was his alcoholism. The accused has difficulty with the label "alcoholic" but views "impairment" as part of the overall circumstances.

> I was always a heavy drinker. A heavy drinker. But it was quite controlled drinking. It was "binge drinking." Strike the word controlled because with alcohol that's an improper word -- binge drinking. Even at the end I would never drink during the day and that requires -- for the amount that I was consuming at the end -- that kind of control! To not have a drink during the day. That was still pretty strong. It was just after four or five or six o'clock. When I'd get home. That was when it was gone.
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> You probably are aware that I had a phenomenal ability to operate under the influence. My son said "awesome." I'd hardly call something like that "awesome." But that's what it was. I could carry on discussion and analysis and things like that without recording. I mean, when the next morning you don't know what was said and done. That is not recording. To me that's not recording. I would wake up the following day and not remember the evening before.

The tracks merge in the recognition that the depression and the drinking are connected. Depression affected his ability to quit drinking which affected his brain which affected his will power. Circles within circles.

> The depression clearly stopped me from stopping drinking. That I can now see. I used to sit there and say: "How can somebody with the strength and will-power that you have not deal with this? There must be something wrong." I kept looking for some physical signs. I never suspected mental.

> Looking back that explains to me how I could sit there, think it through about the drinking and know that I couldn't go on this way and make a decision to quit and then be completely helpless -- be completely powerless to do anything about it. The vicious circle is what causes what? Does the depression cause the alcoholism and then that causes brain dysfunction? Or is depression a function of the brain dysfunction? Or is it depression and the treatment of depression by alcoholism what causes the brain dysfunction?
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> I've never had an opportunity -- WOW! -- such as this to dry out. To look back. And, you know, when I'm sitting there vegetating, I do this kind of thing. Go back to look. To see what happened. How I got to the stage that I did. And the depression to me is a very significant part in why my will-power failed me for the first time in my life. That is what I would have viewed if you had asked me ten or fifteen years ago. I would have said to you: "If it gets to be a problem, my will-power is strong enough that I will quit." Even then I knew that it was certainly going in a direction that it could get out of control. But that was part of the frustration, amazement. Sitting there and being helpless. Of not being able to control it.

The accused acknowledges the unreliability of his will-power in the past. Yet in his current self-appraisal he holds on to his need to give supremacy to the power of his brain. This is revealed in his assessment of self which led him to discontinue medication and thus it remains the tenuous thread from which hangs his confidence in controlling himself in the future.

> There's no doubt that there is a depression but I don't think that it is any longer chemical, biological depression. I think that they filled my brain so full of that stuff that it has opened up the circuits. It was getting to the point that I thought it would do harm the other way. That's why I stopped taking the anti-depressants. So all of the chemical aspects of depression, I think have been removed.
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> I also now can sense when I get feeling so bad -- and this is amazing what you can learn -- I can now sense the changes to the brain and I will stop it. That's the thing that I can now -- maybe this sounds idiotic to you -- but I have this feeling that I can now sense my own imbalance -- the start of the chemical imbalance. And cease going down so low. That's will-power. That's will-power. That's what I have. Right or wrong. If I was capable before -- and there is no doubt about that -- I assume that I am capable of it now.

Optimism is tangled in his web. In his looking back to understand how he could be capable of that which he thought he was incapable of (murder), he also tries to understand how he could be incapable of that which he thought he was capable of (quitting drinking). He considers that now he is capable of that which he believes he is capable of (stopping drinking and halting depression), and is incapable of doing that which he believes he is incapable of (further violence) . . . although his history and circumstances would seem to defy and contradict this ideal.

> There is an optimism but it's kind of an unwilling optimism. It's paranoid. I mean it's schizophrenic.
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> This is not a free environment and I'm astute enough to know that it isn't. It's not a free environment therefore "irritability" is not a quote "viable option" unquote to test my coping and reaction. The only way to test that is to put me into a free environment and then irritate me and see what happens. But I don't think that anything I say about how I react in here has any validity as a predictor of how I would react in a free environment.

The segments of understanding that he has grasped are experienced as a vicious circle. He wants to "explain" -- to find "cause" and "answers." His process leads to: "What causes what? Am I responsible for this dilemma? Did I fail myself -- my brain? Or did my brain -- my greatest asset -- fail me?"

> Such a vicious circle -- the extent to which the depression causes the brain dysfunction or the depression causes the alcoholism. That's what happened. My brain failed me. I failed it if organic brain dysfunction is alcohol induced. I did in terms of the extent that it's caused by alcoholism.

From this vicious circle, he enters the next. Some of the appeal in looking for medical-psychiatric explanations is that others can join with the accused and the accused can join with others in the experience as a known and documented phenomenon. These explanations are a connection with other's "being-in-the-world." The accused looks towards the "experts" for rescue from his vicious circle. He is frustrated when the "experts" cannot apply their "explanations" to his experience and yet would also seem to be consoled that they cannot untangle the knots -- as he cannot. Thus in a sense he reassures himself that he is as capable and as competent as they are.

> The word dissociation makes an awful lot of sense. If there is consciousness during [the killing] -- I don't know what consciousness is any more -- but if there is consciousness, it isn't operating consciousness. So what's the difference

> between being blacked out or passed out. It's the same. Part of something is there. I hope that I'm not just seizing on that as a crutch, but that makes sense to me. I suppose there is some comfort in the fact that other people have gone through something similar.
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> I don't know the extent to which I was functioning [during the killing]. Something happened to me when she hit me. Now what it was, I don't know. I've asked my lawyer about automatism and all that I know at this point is that he says that none of the psychiatrists would admit it. If I was knocked out or blacked out or passed out -- then I don't know. What intent could I have had then? How the hell do I know?

The issue of "intent" opens the throttle to his engine. None of the experts could identify that nor what causes what. "Spousal homicide syndrome" was offered by the defense as one explanation in the trial and does permit temporary abandonment of trying to determine which comes first or if he was blacked out or not.

> If I was not passed out, then this argument of spousal homicide syndrome explains it. During the trial, statements about spousal homicide syndrome made sense to me.
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> Spousal homicide syndrome explained how one does the unthinkable -- what one is incapable and unable to do. I have sat here and thought of what it must take to kill somebody -- to take a knife once and to plunge it into somebody what -- [pause] -- how much -- [pause] -- does that take? -- [sobbing] -- And I did it so many times.
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> If I was not blacked out -- spousal homicide syndrome explains it. You just go crazy. And what I did is proof of that. That's another thing that set off my conscious. No person in his or her right mind could have done what I did. All the times that I stabbed her -- [slow, strained whisper]. I learned how many from my lawyer before the preliminary trial. I would have never -- [pause] -- I don't know what I would have guessed. All right, I didn't know. When I learned how many times I was just completely, completely, completely shocked, devastated, devastated. You see nobody told me [quietly].

The explanation offered by "spousal homicide syndrome" appeals to the accused but again he questions the motive of his process of understanding and he is taken into the pain of his confusion and recognition of the reality of the incident. The accused comes back to his need to know "why" as a way to reduce confusion and its pain.

> I worry about rationalization to get out of the confusion. Because as we're well aware confusion is not a comfortable state. Confusion about something as -- [pause] -- What could be more important than this?

> Rationalizing means that you have a predetermined position and that you work to it rather than starting here "not knowing" where you are going to end up. Rationalizing in terms of understanding as opposed to being confused. Am I orienting a reasoning or is it a genuine attempt -- limited or not -- at understanding?

Again he steps back into his mind -- his preferred haven, a place he escapes so as to avoid. But it is also his maelstrom, a place to be avoided.

> I'm wondering if I'm just jumping at spousal homicide syndrome because I heard it for the first time in the courtroom and it sounds as if it does cover everything. But am I orienting a reasoning or is it a genuine attempt -- limited or not at understanding?

He's back where he started, recognizing the track he's on does not lead to any terminal. But the engine keeps going. He moves into an analysis of his personality and lifestyle. The accused feels that he coped with a "fatherless" upbringing by over-achieving. From this he created a lifestyle of "living on the edge." He also feels that he developed a harsh exterior to protect his sensitivity -- a way to withdraw from others -- and a reason for others to withdraw from him.

> Being raised without a father. That in itself isn't so bad. But quote "I wanted a father" close quote. I don't remember being starved for affection or ever thinking that this would be better or that that would be better if I had a father. But I know that the desire to achieve and to accomplish -- to over-achieve -- put me on the edge and scale the edge for as long as I have. I was conscious of my inferiority feelings. Oh, I was conscious. That's the reason for adopting the harsh exterior, You hide or you keep from other people the fact that you are sensitive. They can't hurt you. When I say that -- I'm talking about other people. I'm not talking about my wife and the family. With other people that was a pretty deliberately adopted tactic. With that is the perfectionism and the guilt resulting from the inability and the difficulty to attain those ideals -- those high standards. You try to hide the inferiority by the perfectionism which then creates the guilt which leads to the difficulty in coping and therefore the alcoholism.
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> You are a fraud to the extent of not letting other people know that they do not know the true you. But there were people who knew. It's so god damn simple. It's surprising that everybody didn't see through it. Anyone who had any ability to assess human nature should not have had any difficulty.

He recalls with pride the "power" of his professional performance though this also took its toll. His deliberate tactic of harshness got out of control.

> To some degree the harshness I projected, therefore, was deliberate but unfortunately it got -- it always gets -- past the point that you would like it to be. In other words, deliberate to the point where it's self-serving but not wanting it to go to extremes.
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> And it was certainly perceived to be. Yes. But I'm not so sure because of irritability that it wasn't justified. I lived under enormous pressure in terms of the fact that I had the fiscal lives of people in my hands all the time. That kind of high pressure -- high calibre -- was extremely tense. Millions of dollars were always involved and you pay that price and that produces its own problems without alcohol. But you add alcohol to it and -- add to that -- a deteriorated relationship and that produces the irritability.

Though he holds judgements regarding other's lack of insight, he suffered from his own insensitivity to self in his striving to maintain his image of competence.

> Looking back -- the desire to strive -- the striving -- the desire to succeed seems to be inevitable. The result -- here we go -- the result of that is a perfectionism: the "only child syndrome" is that kind of pattern.
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> I certainly couldn't do this kind of analysis then. Please appreciate this is all after one year and ten months of sitting here and trying to figure what happened. I don't know what I could have understood if some of these people had told me at the time. This is all twenty-twenty hindsight. So that if it starts to mean something -- to make sense -- it isn't because I knew and understood and was conversant in these type of things at the time.

Caught in his circles, he takes another perspective which takes him to "if-only." The accused views his "brain power" as his advantage and his disadvantage. He considers that his belief and reliance on his own intellectual abilities contributed to his inability to identify his problems and also led him to believe he was capable of solving them exclusively. At the same time, however, he maintains that if "he had been told" -- his intellectual abilities would have shed light on the seriousness of his situation and directed him to pursue treatment.

> One of the problems is being able to conceptualize and understand everything. It is both a blessing and a curse. When you could see it [the drinking] and say,

> "Alright, I haven't lived that way. Yes, I have got character weaknesses. Yes, I've got personality problems -- but I've always been able to overcome them because I can think my way through them."
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> These are all of the things brought up. They always are with hindsight. But if somebody had laid some of these things out for me before -- then I would have understood. Even depressed, I would have still been able to understand the plus-minus. I mean, if they had just given me a book on depression they wouldn't have had to do a hell of a lot more. My own ability would have taken over and probably with a great sigh of relief.

The accused looks back on his hospital experience and recalls his level of functioning. His ability under the influence of medication to think about world affairs while he was unable to think about his own world -- to speak of the event. Living in a surreal world like a zombie. He takes pride in his intelligence and never challenges that aspect of his self-view. He wonders how his intellect could remain intact in the aftermath and how could his mind have failed him during the event.

> It's only a couple of months ago that I felt some life. For twenty months I essentially functioned as a zombie -- but still intelligent. Explain that. I sit in that hospital and I am in a daze. The result of the librium. And yet I'm able to do my tax return. I'm able to do a book review. I could articulate and I could input. All the times during the hospital and especially as the medication was starting to take effect. I had some great discussions about the election. I was obviously a prized patient because we could discuss the free trade deal and the whole bit. We would sit around the rap table. It was quote "great" close quote. And this is the time when I'm not sure what is real and what isn't real.

The accused has his own awareness of his lack of touch with feelings. He reveals almost a sense of marvel tempered by defensiveness at how well he can function intellectually while not able to address or display emotion.

> I'd been here a month or so and they watch you like a hawk. When they brought me in for my interview with the living unit officer and the case management officer -- they started to talk to me. I shocked them. Outwardly I was doing quote "great." Inwardly, I just had no idea. I don't think that there is any way that even four months ago we could have had this kind of discussion.
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> I think of what the psychiatrist testified in his assessment of me: "By clear, cold cut intellectualism he'd make it. But if it involved judgement -- he wouldn't." I would agree with that but I would accept it more if he said "emotional judgement."

> There is no doubt that my ability to handle emotional situations is nowhere, nowhere in the same league as my ability to handle non-emotional situations. I suspect that I am not unique in that regard. The next step that social scientists jump to is that because of my reliance on an intellectual, analytic method and because it is less applicable to emotional situations, that somehow this makes me a complete incompetent. Incompetent certainly when drunk, I'll accept. But complete incompetent -- I don't know if I'll accept.

While the accused views his mind as his pitfall -- the beginning of the aftermath, he also views it as his stronghold in the ongoing aftermath. It is what he relied on throughout his life and what he must still rely upon. It is the continuity of himself in his current situation. His current horizon is experienced and understood as part of his past, present and future.

> My own mind is the only thing that will work for me in the absence of booze and pills and an ability to put it out of my mind when it becomes too great. That is what has enabled me to survive to this point. I guess there is a strength there. There's a strength there that I can utilize if I want to.
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> I'm not a whiner. Obviously I've whined during this whole process. But normally I don't. I have my own resources. I guess they're still there. Much to my amazement and surprise. I thought they were all gone. But they're still there.

He remembers "surviving" his life before and around the time of the event by putting his "mind" to work in his work. From the edge that he was on, work was his link with reality. The accused views his ability to think and the fruitful expression of that ability as his umbilical cord to reality. A track he still rolls along.

> I was completely nonfunctional for three months prior to the incident. In anything except work. Explain that -- I think I can. That was my only link with reality. That was my only way to survive. That was my umbilical cord because I know if I didn't have that I'd have nothing. So I was able to focus and resort to the inner strength when everything else was effectively dead.
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> That's the only thing that kept me going. The only --[pause] -- that kept me. Stupid as that may sound.

In a way that is still what is keeping him alive right now, finding his strength through using his intelligence and applying that towards analysis of his appeal. It is his method of survival but one which he judges with distaste.

> What more macabre thing can you imagine? When I came here they were talking about locking me up for my own good. I said that that would be the thing that would push me over the edge. Working in the library has enabled me to work on my appeal. I never thought at the time that I started on it that it would produce the sound psychological improvement. It is macabre though.

It is important for the accused to have a sense of regained strength. For him this is measured in his ability to think and analyze. The accused views the application of his intelligence and analytic skill towards his own self-defense to be macabre and too self-serving. However, it would seem also to be vital to his process of coping. Through this task the accused feels he has overcome some of the "denial" that the psychiatric consultants had suggested to be his difficulty.

> They had called my difficulty "denial" when I couldn't talk about how my wife had been provoking me that night. She may have even pulled the knife out first. Since then I have accepted the possibility. It's probably even more than that. It's a probability. I ruled up arguments to that effect from the evidence and it doesn't particularly make me feel good [slowly and deliberately].

It was in his work that he felt his competence. It took him to and kept him from the edge. In prison, the accused has been using his "mind" and spending his time analyzing the transcripts of his trial and "working" on the factum for his appeal. Although this activity has allowed him to "survive," he questions its futility.

> I have done a hell of a lot more things in my life than a lot of people have. My life doesn't come out as good on the scale today as it would have prior to the incident. That doesn't mean that the measurement prior to that day was accurate. But the perception of it was -- yeah. I look on those things and I have made my contribution to my profession, to the public. I will leave a mark.
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> My contributions to the public are -- were -- indirect. They are through my work. I didn't do charitable, I didn't do social. I wrote a cheque. But I didn't do any actual public policy work. And that was a deliberate conscious choice. There is only so much time to go around and I didn't have any more time.

His time now is spent going around and around in his mind. The intelligent mind that gave him strength and kept him going before continues to give him strength and to keep him going now. But where once derived his self-respect is now derived his self-disgust.

> Think of this: working on your own murder appeal. Think of that. And yet the answer is you do it or you kill yourself. To me there is no in-between. And so I chose to do it. And the more I work the more reason that I was alive. There is no other purpose.

He is now using his mind to argue the incapacity of his mind. His ability to argue his case is developed from his past career. He is trying to convince his peers of the overwhelming emotion that incapacitated his mind at the time of the incident. Ironically, his life-long career ambitions and achievements had driven him to demonstrate the capacity of his mind and to underplay and mask his emotion.

> Don't ask me how but I was able to function at work.
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> I wanted the professional appointments for myself because of the ability it gave me to put something back into my profession. I wanted it because it was an obvious stepping stone to higher appointments. Did I think it was overwhelming? No. I thought I could and I thought I was handling it. Did it give me satisfaction? In terms of professional work -- the answer is yes.

In the circle there are more circles to unravel and more contradictions to assimilate. He was able to combine his intelligence and sensitivity in helping others but couldn't help himself.

> You know I could always solve everybody else's problems. I could understand other's emotional, psychological, rational/irrational feelings. Whatever you want. The problem is that I had to disguise my sensitivity and feelings to the world at large. I tried to disguise that. But if you had come and laid all this shit on me, I may have said to you: "Alright, I will give it my honest shot." It is my firm belief, my firm opinion, that I could have done for you what you are doing for me. Our difficulty in doing for ourselves is that we can't step out of ourselves.
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> You have this suspicion of something being -- like with respect to the depression --. You have this suspicion that something is wrong but no ability --. If this had been someone else who had come and told me, I would have been able to analyze it for you in a couple of hours. In my case I couldn't step out of myself.

Two years prior to the homicide, the accused had been charged with and convicted of the misuse of a firearm. In the course of an argument with his wife he had retreated to the basement and had fired a shotgun. As he looks back, this incident was difficult for the accused to reconcile but he feels it does not compare with the difficulty he is experiencing over the homicide.

> The weapons charge incident was nowhere as incomprehensible as this. -- [silence] -- That incident was a desperate act. It was obviously an act -- now I see -- of a person seeking help.
>
> The more complex we are I guess the more complex we show our needs for help. This may be a rationalization too but -- But there's no rationalization of what happened to my wife. There no rationalization of that. -- [silence] --

His view of himself as a complex individual allows him to interpret the weapons charge incident as a "complex plea for help." He cannot, however, put the same interpretation upon the homicide. Whereas, he can imagine himself capable of wielding and threatening with a weapon, he cannot believe he is the "animal" capable of ravaging.

> I didn't recognize or think of the weapons charge incident as such in those days. That's why I said I'm going back and trying to rationalize it now. And to me I was capable of doing what I did do then. I was capable of doing that in quote "right" which really means "wrong" circumstances. I would have never believed that I was capable of doing what I did in killing my wife. I would have never, never -- [pause] -- believed it. I still can't believe that.
>
> When something like this happens to you -- how do you say that you know anything else? I think that I've told you this: I don't believe that I am the animal that did those activities, those acts -- vicious -- I don't believe that I am that animal and yet I am. -- [silence] --

He lived his life on the edge. One of the experiences in the aftermath is seeing how you are different and how you are the same as others -- those on the outside and those on the inside. The accused can now see the indicators that led to his "prison" and he has found an explanation. The dependency of ourselves upon each other -- the building of trust, the breakdown of trust. Our selfishness and our need for support in our selfishness.

> I can see the predictors and the indicators now. There are no guarantees because there are so many factors. But I can see the predictors: selfishness, pride, ambition, alcoholism, overwork. Which comes first? Those are the indicators, Sheila. In your case it's speculation. I can not only confirm that. I can explain it.

> Those factors produce an improper balance. I knew it. I just thought I could gamble. You need a proper balance in order to function the way we were designed to function. I have that belief that we were designed to function in a certain manner. You put yourself out of kilter. You put yourself out of balance. And even if you are so vain as to think that you can control it, you have to be extra cautious. I think that you can. But the key to functioning at the edge and not going over, at the risk of sounding more selfish, is a good relationship.

He struggles with his own process of understanding and he is unsettled in his self-understanding which gives rise to plaguing and disturbing doubts and fears. To conclude his own "lack of intent" is to question the self-interest of his process, the component of rationalizing -- his thinking, his mind.

> If I told you that it doesn't scare the hell out of me that I did what I did -- that I wasn't scared of the possibility of something like that happening again -- I suppose I can rationalize that --notice I said rationalize that --by saying that it was a set of circumstances that are unlikely to ever arise again. The right things, meaning of course the wrong things, but all the right things to create this that came together at the same time --

He also reveals the emphasis he places on his power of thought, his mind, his brain as that which is himself -- and that which he is trying to understand, to come to some kind of forgiveness. He even tries to assume "legal guilt." He tries to understand the event from the perspective of intent.

> Was this some grandiose, great plan? God, I've thought about that. You think until you just go crazy. I've thought about that and there is no way that hindsight could have planned something like that. There is no way. None. Not in my opinion. Yes, I think that I am pretty smart. I've told you that. And I think that is something that is pretty well acknowledged. But not that clever. Not that clever. You just can't have planned that: "First we'll kill the wife. Then we'll pretend we don't remember. Then we'll bluff it out." I don't think there's any human being that could have done that.

The homicide occurred because his brain failed. Whether overwhelmed by emotion, depression, alcohol, or brain dysfunction -- his brain failed. He wonders did he fail his brain or did his brain fail him?

> I am the basic cause, the essential cause. If it's anger or confusion or disappointment. At the time it didn't feel like suppressed anger though I have been told that that is what depression is. I've been poked and prodded by psychiatrists and nurses, et cetera and the poking was directed towards anger and the word I wanted to use was frustration -- which apparently is anger directed at oneself. My frustration was more of a futility, of a desperation, of an inability to cope.

He thought he knew his mind -- himself. But now he is unsure if he can rely on his mind. He spent a lifetime trying to cage the animal within himself -- his emotions -- with his thoughts. The cage he built however encompassed all of himself and the cage prevents escape from himself. The cage also excluded the outside world. The outside world now excludes him. He was caught with himself -- his brain and his emotions. He was trapped with "the animal" trying to get out. As he wants the world to understand him from his prison so perhaps does the animal need to be understood. He tried to build bars around the animal with his brain. But the animal needed an escape -- expression and understanding. He found he had built bars around himself with the animal in the same cage. The battle of the two have created their own bars and now are sharing a mutual imprisonment. The animal and the mind in threatening coexistence yet dependent upon each other.

> This is the startling point. Isn't that wonderful? To be using your own intellectual skills that might help yourself get off for killing your wife. Isn't that wonderful? That is sometimes worse than --dealing with that -- it would have been -- just like I said -- What kind of animal would do what I have done? And then what kind of a man would apply his intelligence and analytic skills in these kind of circumstances? Where the hell is the sense of all of that? That's how I feel.
>
> Those are my compunctions. Those are all part of my ranking of myself and I've always been harder on myself than anybody else -- so that's what perfectionists do.

The train is led by the engine -- the accused's dependency upon his ability to "think things through." His brain is his advocate but it is also his enemy. There is no victory in his skill and perfectionism. Where once it was his choice to play solitaire, it is now the choice of others.

The engine car contains the accused's self-respect as well as his self-abasement. As the accused looks at the engine car he acknowledges at times his own strengthening in his ability to apply his brain and analyze his circumstances. He finds some momentary comfort in this awareness and some optimism with respect to his revival. He cannot settle and leave himself there however. He is caught in his trap, stifled in his confusion -- emotions filtering. With this discomfort he perpetuates the tracks of his thoughts. He enters circles within circles of unanswerable questions which he poses to himself: Which comes first? Who is responsible? Am I rationalizing? Why bother with this when the judgement is preconcluded? And what kind of man would engage in such an effort towards his own defense? Finally, he poses: How can you explain that which cannot be explained? How do you understand that which is incomprehensible? Much to his frustration, he finds that his brain cannot answer his pain and the incongruity between his view of self and his reality.

The Fuel Car: The Legacy of a "Time Bomb." The next car we explore is the fuel car. What gives this train its fuel? Past, present and future vividly merge together for the accused. Earlier life events gain new meanings. Taken-for-grantedness has been disturbed. A different self-analysis is undertaken with new and different influences: new environments, professionals that are assigned to the case, and the re-entry of ghosts from the past. The train is fueled by the haunting analyses of past, present and future. The taken-for-grantedness of life events disturbed.

On our journey the accused reflects upon the influence of his father. The accused and his mother were abandoned by his father when he was an infant. Prior to this event the last contact that the accused had had with his father was at the age of eighteen. The accused did not see his father again until he was remanded in hospital after killing his wife. Up until that point they had both withdrawn from each other. He recalls the one Christmas when his father invited him to visit. His father sent him a train ticket. It was on this occasion that the accused considers that his father planted a" time bomb." Ironically, the fuel "exploded" at the same time of year that it was "planted" and that "explosion" is the "bomb" that he fears he has planted in his older son -- planted at the same age for his son as was the bomb that he feels was planted by his father within himself.

Within this reflection are a number of ironies and a sad fear. He fears the train will not exhaust with him for he may have ticketed his son as his father ticketed him. He worries where this son may be carried in the future. As his track goes around and around, he fears that he may have fueled his older son's future by leaving a "time bomb" -- the horrific memory in this son's mind of his mother's body. The question that this son posed to him reverberates in his thoughts:

> "How could you have left carnage like that? How could you have left Mom like that?"
>
> What kind of effect is that going to have on my son? -- [crying, whispering] -- What is that going to do to his life? What and how is it going to cause him to react in similar ways -- years down the road?
>
> The time bomb. That I planted. You do know what he must have seen? -- [silence] -- It just has to be there inside of him. The time bomb ticking in him.
>
> I think there's a danger. Do I think that it is inevitable? No. Do I think that something like this, similar or **worse** -- [loudly] -- has to happen? No. But I do know that the possibilities, probabilities of something happening are increased if it isn't attended to. -- [silence] --

He feels his own inadequacies as father which launches him into painful memories of his own father:

> I know that out of my own experience. It was what happened when I was eighteen years old with respect to my father.
> That was the time that he invited me out to -- I don't know -- B.C.-- somewhere in British Columbia. He invited me out for the Christmas vacation. This was after I had not seen him for -- I don't know how many years. He had nothing whatsoever -- nothing whatsoever to do with me.
> He wrote the letter and asked me whether I wanted to come out and spend Christmas with him. I got that and I looked at it and I wondered

> what to do. I talked to my mother on the phone and she said she wasn't going to tell me what to do. Something like that. I had to make up my own mind.
>
> I told you that I always wanted a father. I don't know if this was in the letter or if this was my wishful thinking but I somehow assumed that -- [pause, sigh] -- he wanted to sstttt -- sstt --[stammering, stuttering] -- re -- start -- I was going to say rebuild -- but that wouldn't be right -- to start some father-son relationship. -- [sigh] -- So I decided to go.

It is interesting that the accused suffered from stammering when he was a boy. He overcame this problem with "will-power." The past haunts in the present.

> Then he sent me -- [pause] -- He sent me a train ticket. I don't know. I took the train. He met me at the train.
>
> And he was living with another lady at the time. She had two or three children of her own and was very, very pregnant at the time. Obviously his baby and about to deliver.
> I was there two weeks and everything went great. They made me feel welcome. He was running a hotel at the time. And I had the run of all of the facilities. Skiing and things like that. And nothing was said or done until it was a day or two before I was to go back. -- [sigh] -- Then I finally found out why I had been asked to go out.
> There wasn't anything to do with me. It was for his own selfish, manipulative purposes. Because what he wanted was a divorce from my mother. And this was at the time when adultery was the only grounds for divorce. So he wanted my mother to sue him for a divorce. She had told him that if he deposited enough funds for my university education she would be most willing to grant him his divorce. Her thinking was that he had never contributed anything towards my upbringing and this was sort of her last lever. His response to that was that he wanted me to convince her to sue him for a divorce because it was his belief that if I asked her -- told her to do so -- that she would. It was then that it was obvious what the hell this was all about. It was all a facade. And that I had been abused. I had been used. That destroyed me. Every part of me. And I said no. I would not get involved. I wasn't going to get involved. And once I refused, it was my feeling that that was the end of the line.

As the accused reflects over this event he refers to the train ticket his father bought him. At the end of his visit, it would seem that when he boarded the train to return home it was powered with explosive fuel - "a time bomb" ticking. His journey on the runaway train was not at the "end of its line." It was bound on a treacherous track. Its end not in view. When the accused killed his wife, the father who was dead in his mind, came to life:

> I didn't see him for thirty years and I certainly didn't worry about it. To me he was a dead person -- non-existent. There was an anger, a hatred that

> surfaced periodically. But it would be very rare because there was just nothing to bring it up. Nothing.

Following the event, the accused received a letter from his father requesting permission to visit at the hospital where the accused was remanded. In granting the visit, he allowed his father to come back to life and in so doing believed he put him peacefully to rest.

> When my father came to visit me in the hospital after I was arrested, I made the decision to forgive him. I did that in my prayers. At one point in time I didn't know if he was dead or alive. It turned out he was alive and wanted to see me. I saw him knowing that he was not seeing me for me. He was seeing me for himself and that was fine. For himself to feel better. That's what it turned out. I got rid of all my hatred, all of my anger. That slate is clean [slowly and deliberately]. Even now my father is not accepting what I am. That is his problem. That is no longer my problem.

The engine has failed and the fuel has exploded. But the train keeps running. One of the problems he struggles with now is himself as a parent. Like his own father he moves into isolation -- not by conscious choice but by incarceration.

> I sit here and think about what I can do to help the children. How can you possibly do anything real from jail? How do you be a parent from jail? How do you live for the children? What do you do for the children? Just live and be a reminder that you killed their mother? That you're a murderer? I think that you are best removed.
>
> How the hell can you seriously suggest that having a father who is a murderer is of any benefit to those children? Those children are just better off if I'm just gone completely away.

The circle keeps turning. He should be a dead person -- non-existent -- like his father. One of the experiences of the accused in the aftermath was to be rejected by his children. Just as years ago he rejected his father for the injustice and pain he felt had been inflicted on his mother in their domestic dispute, he now feels his children reject him. Understanding merges through past, present, and future intertwined.

> My daughter came to see me within a few days after the incident. She was still in a complete state of shock. But if it was shock or not, her thinking was not "intent." But then at the end of that month the psychiatrist writes to convince the court to keep me at the hospital. In passing he just

> simply said: "Oh, this was an ordinary domestic dispute." That is when my daughter and son broke off all contact. OK. Broke off all contact! My daughter was looking for some explanation. Something more.

He was looking for something more from his father as well when he broke off all contact. He came to believe his father was gone "completely away" -- dead. But he was still there. And his father's visit occurred during the time that his own children broke off all contact.

> To commit suicide is to remove completely everything. The slate is clean [slowly and deliberately]. They start over without being constantly reminded that in jail is the person who -- I hate to use the word father -- who murdered their mother.

No matter how hard the "slate" is wiped, it would seem that the train keeps on running. He forgave his father. To forgive is to solve the problem. With his father's visit in the aftermath, condemnation of his father simmered but was replaced by the perceived condemnation of himself by his own children and by his own brewing self-condemnation. When the savageness of himself emerged, he saw the humanness of his father. In the lack of charity towards himself, he was charitable towards his father. In his self-malevolence, he found benevolence towards his father. In the lack of understanding towards himself, he gave understanding to his father. He let go of the search for a father in his search for himself as father. And in looking at himself as father -- his own self-anger and self-hatred is fueled as he feels his children to be searching for their father. In his self-search is also the plea to his own children. He wants to be forgiven but he cannot forgive himself. The accused continuously flashes back to his older son's question. If one's background is so significant -- what will become of this son who discovered his mother's body? The accused is guilt-ridden and extremely concerned with the ultimate impact and effect of this event on his older son's life and future.

> My younger son was the first one to see me shortly after I was transferred [to the prison.] But it wasn't until sometime this fall, after my mother had been here, that I asked whether he had in fact heard my testimony. And so then I asked him if he believed me. And his answer was he did.

> His [younger son's] feelings of guilt were resolved when he heard the testimony and he came to his own conclusions and then all of his anger and all of his hatred went away. Right at that point. To have left him with the same anger and hatred that my father left me would not have been a very admirable thing to do and I had to do something about that. But I have been spared that and so has he. So has he. He doesn't have to face all of that anger and hatred. He has had his chance and he has resolved it. I know that from his dealings with me. The point being is to not leave him without an opportunity to get rid of his anger, his hate.
>
> My daughter has told me that she has heard my testimony and believes it. And that's her opportunity. She's been purged. What I mean is the anger, the hatred that they felt towards me for killing their mother. For instance, if I had killed myself on that night, they would have been left with that and the guilt arising from that. Now they have had a chance to work out to some degree their understanding -- to understand.
>
> These are extremely, extremely important facts in my, in my -- uhh -- improvement. If there's any meaning behind that though, Sheila, it is all of the work that I had done on the appeal books and my analysis that gave me the courage to ask him. When you're talking about being pushed to the edge, that's another question that I could not have lived with at all. -- [sobbing] -- When my daughter came down here I asked her the same thing. She gave me a similar answer. -- [more sobbing] --
>
> But those have been good visits. They've all been here now. I haven't asked my older son whether he believed me. I don't know if he heard the evidence. You know when they come in the door you just can't say to them: "Do you believe me?" It has to work its way in and when he was here at one time, he was with his brother. That wasn't the reason. But no opportunity, as I saw it, presented itself.

The circle is still open. Forgiveness is perhaps one way to empty the fuel car. He has still to solicit his older son's feelings with respect to believability of "intent or non-intent." He needs to see this son for himself rather than for his son's sake -- the need he perceived in his own father. He is too fearful to query this son however and he painfully feels the anger and hatred that he felt toward his father now directed at himself. The fuel is inexhaustible.

> He [older son] is the one that found her. Think of that. I've even been spared that. Spared. I haven't seen the pictures -- [tears, silence] -- How could anyone do that to their children? Do that to their family? -- [silence, crying] -- I wouldn't have the -- [pause] -- whatever it takes to do that. -- [silence, sobbing] -- What kind of animal?
>
> He told me what he saw -- [sobbing] -- He tells me with pain -- very bad pain -- what after that -- I don't know. Oh! Anger. There's anger.

> I don't know if I can help him now. He asked the question: "How could you leave Mom like that?" Whether I can provide the answers? -- I try to anticipate -- try to provide him with whatever it is that he's looking for.
>
> At first there was disbelief. I know that. He didn't believe me at first. I know that. So I know I should be careful. Cause I know where he stands on that but -- [pause] -- Cause he phoned once. He had been drinking and he said to me: "How? How could I just leave her that way?"
>
> It's essentially the same question that the prosecutor asked me in cross examination: "Why didn't you get her help?" I have no answer for that. I can only tell you that that was not something that entered my mind. He seems to be operating from the premise that I was thinking and that is why he asks the question.
>
> He asked me: "How could you leave her like that? How could you?" Do you know what I did -- [silence, crying] -- Do you know where the knife is? -- [sobbing] -- I left the knife in her neck. -- [silence, sighing] --That is what he found. -- [sigh, long silence] -- Savagely beaten. Stabbed. Knife sticking in her neck [whispered].
>
> I haven't had the strength to look at the pictures. He had no choice. He checked to see if she was dead. He checked if she was alive [very slow, whispered].
>
> His question keeps on in my mind because -- unless you are a psychopath -- you've got to understand what that has to do to anybody who has found her. Let alone my son. I still am avoiding the facing of that and he has no choice.
>
> I want to help him deal with it. It's extremely difficult because this is not an environment that is conducive to that situation. But I think that to some extent I have already done that. To that extent this [being incarcerated and thus still being alive] is a blessing. I think that I have given him an opportunity to come to some terms with me. There is no doubt that there is so much more that I could do but now we're talking about what good is it to my children to have a capable competent murderer hanging around for ten years. What good does that do them? Potential is there -- I suppose the potential is there for everybody. Some of us are more able than others. But what good -- what real good is it?

The accused believes that if the legal judgement is reduced to manslaughter, that he can try to live with the fact that he killed his wife. The commitment to carry on should the conviction be changed is strengthened with the knowledge that at least two of his children believe that he did not intend to kill their mother. His older son has not been directly asked if he believes that his father did not deliberately kill his mother. The accused is uncertain whether his older son believes him and he worries that this son does not believe him. This worry arises from the question this son posed to him. He asked his father how he could have left his mother that way. For the accused, the question implies that his older son believes that the accused was capable of thinking at the time. This son was forced to see his mother's body and the havoc of the event. The accused has been spared that in his lack of memory and in cutting out the photographs. It helps him not believe what he is still trying to believe -- and not believe.

The accused is guilt-ridden and extremely concerned with the ultimate effects of this event on his older son's life and future. The difficulty remains though that ultimately the fuel is his own anger and hatred, his own self-vindictivenss and inability to forgive.

He looks at himself. He looks at his children: the next generation -- himself incarnated. He gives his understanding (as effective or ineffective as it may be) to his children. He perceives their strengths as his own capabilities -- their weaknesses as his own vulnerabilities. In his self regard and in his regard towards the children, he tries to disown the incomprehensible -- as not belonging to himself.

> My younger son read the reasons for judgement and the factum when he visited. I said to him: "Are you sure you haven't read these before?" And he said: "No." And I said to him: "You know kid, you're going to make one hell of a good lawyer." I'm not sure I've told you -- my younger son's got more raw brain power than maybe the rest of us put together. Then he went through the factum and his analysis was: "If they can read, it's all there." That's what he thinks. That's what he said. Something along those lines. Discounting his self-interest -- if I can call it that, or discounting that aspect of his non-objectivity -- Just think of this: my younger son did not come to see me until after the trial. He is not the kind of person who would ever forgive me if he thought I deliberately killed his mother. He would never. And he didn't come until he heard what I had to say at the trial. I didn't know this but he attended most of it. He heard much of the evidence. Then he came to his own conclusions. That's consistent with the kind of person he is -- thorough. You'll forgive me. He's like me. He operated, I think exactly the same way that I would have operated. The onus was on me, as it was in the court, to prove to them that I didn't do it deliberately. When my son heard and analyzed -- How did he say? -- "It made sense." And I said: "You know, it doesn't make sense." He said: "Yeah." He quickly agreed with that. There is a basis in reason or in logic but it doesn't make sense. That gets back to the fate. To the fate. But for him to say things such as that -- is one hell of a far step because I can assure you that he adjudicated me much more harshly than even the prosecutor. I mean the prosecutor didn't give a damn about my wife -- their mother. The kids do and rightly so. -- [tears, sobbing] --

> Clearly he [younger son] shows a maturity and judgment. Phenomenal. Perhaps better than mine. Because he isn't the cripple that I am. -- [crying] -- He's coping. He's managing. He's going on.
>
> My younger son is coping the best because he has thought it through. As a result he no longer needs to hide. He's thought it through and it's completely in the open. He can quote "live with it." I'm sure that if you started to press him like you are pressing me about inevitability and things like that -- you'd break through. You will break through. But in terms of acceptance -- he has and he's at peace with himself about something that clearly tormented him for over a year because you know he never had anything to do with me during that year.
>
> My daughter has the same analytic capabilities as my son but I don't know if she has used them. I'm not worried about drinking with my son but if my daughter keeps it [the impact of the event on her thoughts and feelings] hidden -- if I'm right that she has not done the analysis that my son has -- the thinking that he has -- but has handled it by ignoring it then clearly it is a concern. But it's going to take some time. It's not going to happen tomorrow and may not happen for ten, fifteen, twenty years.

His qualities are both his assets and his failures and he sees himself in his children.

> They are my children. They are capable of blocking things out. They have that strength. They are all strong. My daughter has the strength of blocking it out. What I'm worried about is that she is surviving by blocking it. That's the difference between her and my son.

The accused can see the benefits in talking -- to dismantle and diffuse the "time bombs" -- although he admits his own unwillingness to talk things out and his preference to dismiss and withdraw from painful issues. In other references in his recount of his daughter's attempted suicide, he credits himself with having talked about it with her to his satisfaction at the time of its occurrence but as he feels his helplessness as "incarcerated father," and also sees himself in her, he assesses a need for his daughter to talk about her suicide attempt -- with somebody. The aftermath brings about a sense of the precariousness of a person's stability and the impact of unresolved conflicts as they might reappear in different form -- unexpectedly and explosively.

> Nobody knows about my daughter's attempted suicide. She never speaks about it. That's another time bomb. I think she's got to talk about that to someone and who is she going to talk to?

> We didn't know if my daughter was going to live or die. It was an overdose. Another hour and they would never have saved her. It was kept as a private affair. I was the one who spent the most time with her in terms of discussing. The psychiatrist that she spoke to at the hospital diagnosed that as an isolated incident where her coping broke down. It was rather a unique set of circumstances. She hadn't made the grades she wanted or expected to. When you look -- putting it bluntly -- it is another example of perfectionism. That's all. Perfectionism in her. But it's my perfectionism in her.

His feelings of precariousness and inadequacy are most evident in his concern regarding his older son who found the body. It is with this son that the accused would seem to have the most difficulty in relating. This son's "understanding" is questioned because of the overwhelming emotion that the accused presumes must have been kindled with the discovery of his mother. The accused seeks from his children "an understanding" -- the removal of emotion -- hatred and anger. Not to understand is to retain emotion -- hatred, anger, and pain. The accused cannot comprehend the turmoil and emotions of this son -- in a sense, it is this son that is most representative of himself and his confusion -- that which he can see, but be blind to; and feel, but be numb to. As he didn't know how to cope with and meet the needs of his wife, he now does not know how to deal with this son's needs -- as he has not known how to cope with his own.

> With my older son -- I just don't know because the complicating factor there is the horrific situation of having discovered his mother. I just can't comprehend on that and I haven't had a chance to talk to him like I'm talking to you. To poke and prod and get some feedback. So a lot of this is guessing. But I do see that there is a strength there. Just how close to the surface the weaknesses are I don't know. But there is a surface strength. There is a surface strength. And he has come a long way since last July, for example. He's able to study. He's working hard on his studying. He's doing reasonably well. He is able to do that. With this son the problem is that there's more of his mother in him than there is in the other two children. The other children I know --

In viewing the children he tries to understand the future. He sees the brain power of his younger son, the perfectionism and an hypothesized propensity towards drinking of his daughter, and the escape into work of his older son. He sees the "strength" of blocking things out in all of his children as he sees it himself. What he does not comprehend within himself, he cannot comprehend within his children. The excruciating vision of the future which he fears the most is interpreted as that which does not belong to him -- just as he rejects that which he is most afraid of within himself.

It is important to the accused that he not see the decision for appeal to be only his. Again he is caught with conflicting feelings in seeking a lesser conviction and bringing the episode back into the courts and into the public eye. He prefers to understand his choices as "giving" rather than self-serving. I get the impression that emotional issues are avoided when the children visit, keeping issues to those that can be intellectually appropriated. The visits with his children are infrequent. His younger son being the most frequent, on average once a month, while his daughter and older son have visited only once or twice since his incarceration.

> Someday if the appeal is successful, I'm going to have to talk to the children about all of this. I learned to be close to the children but that's not realistic in the present circumstances. It may now never be possible under any circumstances.

The train is fueled by the accused's need to please others whom he cannot please -- past, present, and future. The fuel car is a dangerous car because it provides the power for the train and it is also explosive. It contains the "time bombs" of past and future. It reveals the meaning and significance of "fathering" in the life of the accused. As he views it, it was his father who in many ways "fathered" the tragedy of his life, and he fears that he too may have "fathered" future tragedy in the life of one son and perhaps his other children. As his father was inadequate in meeting his needs, so too he finds himself. The inspection begins with a review of his relationship with his father. He derives a temporary sense of strength as he considers that he has forgiven his own father. However, that forgiveness is fleeting for he now condemns himself. As the "time bomb" of one generation is diffused, the "time bomb" for the next is planted. More circles. Coinciding. Past circles don't disappear while future circles appear. As his wife died, his father came alive and the time bomb for the future was planted in his son. The anger and hatred towards his father that propelled the train towards its explosion continues to "tick." He fears it in his son as it "ticks" within himself. Mirrors --it is himself that he sees in his father and in his children. The helplessness he feels as offspring to his father, as father to his offspring -- the helplessness he feels towards himself.

The Baggage Car: An Empty "Bowl of Cherries." The baggage car holds the freight and luggage that the accused carries on his train. Freight is any load or burden. Luggage is that which is lugged. To lug is to pull along or carry, as something heavy and moved with difficulty. It also means to introduce laboriously such as lugging a story into a conversation. Both aptly describe the contents and process of inspection in this car.

The bags he finds contain memories and impressions of his wife and their marital life. He finds that the pieces are in a hubbub. They don't necessarily match nor fit together. Some are closed and some are open. Some contain the familiar and remembered; and some the unexpected and forgotten. He finds most to be empty -- of sense and logic, and yet to be full -- of incident and implication. He visits and re-visits this car with all its circles, edges and ironies. It is here that he is most sensitive and susceptible to awareness of his widowhood -- alone in his unpacking of a relationship tragically destroyed. He both accepts and rejects his findings and discoveries -- motivated by mixtures of fear, anger, and hate; and love and loyalty. He recalls how he could not "unhitch" this car before the "explosion." For him it was and is a non-relinquishable, non-returnable load. He attributes his reluctance to unload the baggage -- to give up the marriage -- not to his "selfishness" but rather to his "lack of selfishness." It was his "un-selfishness" that would not let go and lugged him down. Having taken the vows of marriage, the accused perceived it to be his responsibility, obligation and commitment -- "for better or for worse" -- to look after his wife -- "till death do us part." But death is not necessarily a parting. In the aftermath, he talks to his wife although she is dead -- "ended:"

> There is not a sense that she is with me now. No. She's ended. She's not just ended. I ended her. She didn't do it. I did it. This is the tragedy. It was all there. Life was certainly capable of being the proverbial bowl of cherries -- I talk to my wife: "How could we do this to each other -- to ourselves?"

His wife cannot answer him and he cannot answer himself. The luggage contains the good and the bad of his marriage. He examines his marriage in his struggle to understand "how it could end this way." The bags have pockets and circles for his thoughts to explore and his confusion to run rampant. They are filled with "no-win" situations. If he looks at the good -- "It is inexplicable." If he looks at the bad -- "Is that the reason? Does that provide intent -- conscious or unconscious?" They are filled with if-onlys: leaving/staying; marital counselling and treatment; drugs and alcohol; depression; the death of his parents-in-law; his daughter's attempted suicide; the earlier weapons charge; status aspirations; and financial management. The circle that carries the accused on his inspection of the baggage car is the persistent awareness that no matter how he analyzes his marriage -- the personality of his wife and the episodes and dynamics of their relationship -- she is dead and he killed her.

> The one person I cared the most about -- I killed. Think of that.
>
> I think about her all of the time. And the memories are mixed. That's the trouble. Good. Bad. You think of the bad and the next thing is: "Is that why? Is that why this happened?" You think of the good -- then it is just inexplicable.

He sees his wife and himself as victims to a blindness of their potential -- both constructive and destructive, independent and co-dependent.

> A person with that personality -- which I thought I knew -- and I still think I do. With that intelligence, with that background -- would not -- despite selfishness and other negative attributes -- would not have carried anything through to this extent -- to this degree.

The accused and his wife lived on the edge, in great privacy with their secrets. They kept private within their home excluding outsiders from their personal affairs; and they kept private within their thoughts excluding each from the other through lack of meaningful communication. Ironically, they had thereby built their own prison -- around themselves and between themselves. In their isolation they were locked in mutual dependency. They could not escape from each other. But within their confines they pushed each other away -- deeper within themselves, each on their track of self-destruction.

> When my wife and I had a good relationship I would flirt with the edge. But then she was doing the same thing. And when it deteriorated -- we both pushed each other. We both went over our respective edges. But everything about her -- her communication, love, support -- everything -- [pause] -- I started to go to pot when I couldn't use her for all those things.
>
> When we first got married I wouldn't trust. I'd keep things back. As time went on she earned -- terrible thing isn't it -- she earned my trust to the point that I trusted her with everything. With everything. And then I could not deal with it. I could not deal with it -- when she broke -- in my perception -- that trust. The only thing to do with it was to withdraw. Withdraw completely. There was no other way.
>
> Over the years I had finally -- notice what I said: I had **finally** [emphatically] learned to trust completely. Then she was throwing back at me the disclosures that I would make to her. I started to go to pot. And this is with twenty-twenty hindsight. But I started to go to pot and I switched to drinking as the only effort -- which is a non-effort -- to stay in bounds.

His effort to stay in bounds also stretched the bounds of his relationship. His escape through alcohol often backfired in confrontation. His withdrawal drew out the mixture of emotions and strategies that characterized the interaction between the accused and his wife.

> There'd be times when she would call me down vehemently as an alcoholic then there'd be other times that she would tell me that I was not an alcoholic. It would depend on what her emotion was. What her motivation was. She would then react accordingly.

And from within this mixture he did not abandon hope that the marriage might have been recuperated. He is still caught in that speculation. "If-only" they had gone for treatment . . .

> Was it salvageable? Yes. Or maybe that was wishful thinking, Sheila. It would have been only salvageable by both of us withdrawing through a treatment programme. If any relationship could be re-established -- there had to be a withdrawal -- a physical separation. And not just the separation but treatment of some sort. I still loved her. I would have sought treatment unless I was convinced that the returns were so low. In other words there was no up-side. It was all down-side.

They each travelled a vicious track of demolition -- caught in redundant circles of effort and resignation, of provocation and withdrawal, of hope and despair. He looks over the course of his marriage: the development, the continuities, and the downfall.

> She had grown and learned a lot over the years of our marriage. That's the other -- how it could go all to pot at a time when it should have just been going the other way. I'd virtually beg her to "Just leave it alone" -- "Give it a rest." Those were my words: "Give it a rest." -- "Leave it alone." And rightly or wrongly I felt she would. I mean from her perspective I guess she would say: "Well, don't drink."

He took responsibility for her when they got married. He was her husband, but as he describes he was also her parent and her teacher. He viewed the marriage as a place where she grew and developed.

> When we got married, she was extremely immature. She was a baby -- sheltered, immature, spoiled, selfish. I'll give you some examples. She didn't know how to balance a bank book when we were married. These were all things that I taught her. She couldn't boil water when we got married. I was the cook. That's why I struck the word competent and said wasn't capable because there was no doubt that she was not dumb. She was able and she proved it. Once she progressed from being a person who really couldn't look after herself to the point where she was looking after all of the things that she was looking after in the house. That was all her growth and development.
>
> I don't know if I told you this before but when I married my wife I knew that she was not an independent person. I knew I would have to take care of her. However that sounds -- chauvinistic or whatever. I don't care. That's the way. That's a fact. And I made that commitment. And I felt bound by that obligation. To take care of her. Obviously I wasn't doing a very good job. Was I? -- [tears, silence] --

He thought he could carry the load and fulfill all the roles that he felt were incumbent upon him. He had made that commitment.

> I didn't think that she could survive on her own. Maybe that's stupid and god damned presumptuous. You may think that that's sick. Sitting there you may think that that's sick. But that was my feeling.
>
> This is the damned part of it. Damned if you do and damned if you don't. I mean without sounding "holier than thou," Sheila -- it was and it is -- I've told you how many things that I've changed -- but not on this one -- it was, and is my opinion -- that she would not have survived on her own.
>
> Just everything about her made me think that she couldn't survive. **Just everything** [slowly and emphatically]. She needed somebody to quote "take care of her" close quote. I knew that when I married her. That was no secret to me. She was, at that point, extremely immature. Throughout she grew immensely. You would not have recognized her. But that immaturity, that insecurity was obviously showing up in an entirely different manner. It was now showing up in aggressiveness, in assertiveness, in the irrational and emotional behavior.

The problems of his marriage were not discussed with others apart from his in-laws. The influence and responsibility of "fathers" recurs as a significant factor in the accused's process of understanding.

> When her mother died, my wife never wanted me to communicate with her father about our problems. Once her father died I guess she felt relieved of this burden and now she was going to do what she damn well wanted. The burden of her father was that he was an external control over her behavior. There was somebody there that she had to report to. Not a particularly good word --somebody she would have to try and justify her behavior to. Behavior -- I think -- she could not justify.

His father had provided the explosive fuel. When his mother-in-law died, his father-in-law remained as the brakes to his wife's "unjustifiable and irrational" behaviors and thus her father's existence had stalled and curtailed the spiraling deterioration of their marriage. But his father-in-law died. . . .

> The shift from the good to the bad was with the death of my wife's father. That's my correlation. Yes, my correlation. A correlation that I pointed out to her. One that she wouldn't respond to. She wouldn't deal with something like that rationally. When I told her my analysis and correlation, she would

> then just shriek back that: "That was all wrong. How could a drunk like me make that kind of analysis?" And followed with that outburst was my rationalization for my drinking.

He remembers feeling quite supported by his mother-in-law and views the involvement of his in-laws when they were alive as helpful in controlling his wife's behavior. He also feels that his wife was quite resentful at times of the restraints that her parent's opinions and criticisms (explicit and implicit) imposed upon her. From the accused's perspective, they were the wardens of her "irrationality" and thus upon their death, her boundaries were unbarred.

> When her mother was alive -- much to her surprise -- her mother took my side rather than hers. My wife couldn't understand that her mother and I would argue and yet that her mother would take my side. This to her -- she was just flabbergasted. This to her was completely incomprehensible. How could her mother do this to her?
>
> When my father-in-law died all control then had been removed off of my wife. Her mother had run the show. Her father was always an appendage. He was never involved in anything. He was an appendage. He was a fifth wheel. But when her mother died -- her father was the safety valve. Ironically he was. Her parents were the only ones she would listen to. They were the safety valve. They were the only ones that she would listen to --

The brakes had gone, the engine had failed and the fuel was explosive. The train kept running -- destined for calamity. He struggles with the retrospective realization that he should have left the marriage and thus avoided the "fatal explosion." But as he looks back he remembers the webs and knots of his relationship. He should not have stayed but he could not leave.

> With respect to my marriage -- the choices were to me so bad when I would think about leaving. The feared consequences with respect to her and the children. If I could have just said "Fuck you." Putting it bluntly. "The hell with all of you." I would have done it. If I had honestly thought that there was no love in that house. And that's not true. That is not true. If things were consistently and continuously that bad, then again, I would have left. I would have left. But they weren't. God, Sheila, there seems that there was enough good -- enough love in that house that it was quote "worth it."
>
> There were always the good times. How else could I stay there? I don't know if I was tolerating it with the hope for change -- maybe -- but certainly there was

> a resignation. A realization that if I stayed "this was the way it was going to be" and I had better quote "make the best of it" close quote. Which of course meant the worst. So I guess there wasn't much hope listening to what I just said. There wasn't a hell of a lot of hope for change. Though maybe there was because I don't want you to ever think that it was always this way. It wasn't. And the good obviously made the bad tolerable.
>
> My instincts were to get out but my responsibility -- my love -- prevented me from doing that.

He too is responsible as a father. He tried to leave and he wanted her to "leave him alone" in his leaving . . . but he could not ask that of his son.

> And she wouldn't let me leave. I tried. She wouldn't let me to the point of using the children. I' d never tell anyone else this but I presume there could be some guilt there for her because she used the children on one occasion when I had left. And I was convinced that I had left. She used the children to get me to come back.
>
> I was gone for four or five days. I had made up my mind. I thought I had made up my mind and nothing she said was changing my mind. But I couldn't take the next step -- when my older son -- She called and I said I didn't want to talk to her. And then she said: "Aren't you at least interested in the health of your son?" My older son was sick. I asked him how he was feeling and was there anything I could do. And he said: "Come home." He was about eighteen.

The ties of history -- the age of his older son, when this request was made to "come home," was the age of the accused when he thought he was "going home" to his own father. As the accused was a pawn in his parent's domestic dispute, his son was a pawn in the accused's domestic dispute. Ironically it was this son who discovered the body.

The accused did not take the alternative to leave. He continues to regret that he did not leave his marriage and avoid the tragic outcome of his staying. He argues his reasons as he struggles to understand why. He suggests to himself that his downfall came because of his sense of family and marital responsibility and a denial of his own needs -- he was not selfish enough.

> It is a struggle. It's a struggle. I may sound very selfish to say it this way -- but guess what I'm going to say -- I wasn't selfish enough. Ironic isn't it. I wasn't selfish enough. I was selfish. Everybody knows that. That's no

> secret. But I wasn't selfish enough because if I had been selfish enough then I would have ignored her and the children. I would have left.

The accused survived in his marriage by assessing "this comes with the territory." He lived his marital life in a "no-win" situation.

> I had it all down to: "This came with the territory." The only way of dealing with it was to hurt her more by leaving. Did I feel that I was in a no-win situation? Yes. And I couldn't bring myself to hurt her or the children by leaving.
>
> When I came home after my son requested me to I didn't see how I could then move out -- that was my lot in life.
>
> I didn't see how I could move out. A real feeling of being trapped. That was my lot in life. I was resigned to that. We all have our influxes of vocabulary. The word I use is resigned. One of the things that struck me when I was in England is that I found it dull, dreary, dingy. And one of the things that I'll never forget is that the people there were resigned to it. I use the same word -- resigned. I was resigned.

I found it coincidental that at the time of this conversation, England was experiencing its most vicious storm in decades. Comments were being made about how nature can be taken for granted and when it gets unexpectedly out of control, it can be truly terrifying in its devastation.

He remembers his marriage as a "no-win situation." He can't leave and it's no good to stay. The accused is very self-conscious about being recriminatory about his wife. Divorce was raised in their arguments, but it would seem that for her it was more a threat than a seriously considered solution. He imagines a sense of guilt may have tormented his wife because of her refusal to let him leave and the strategies she used to make him stay.

> Divorce was something that kept recurring as a theme of discussion and at the same time one that wasn't viable by the conditions that she proposed.
>
> Her thoughts of divorce were: "I get everything -- now and in the future." I'll be very frank, I said: "Bullshit. No. You will not. I will leave. And I will leave clean. And I will start again." -- [silence] --
>
> She wasn't prepared. No. She wanted everything. And she wanted -- I don't know if she wanted me but she certainly wanted my means. So she was not going to let go. This is horrible but apparently statements that she made

> to her friends -- she told them the only reason she was staying with me was the money. That she couldn't live in any other style. And the only way that she was going to get that style was through me. I tell you that with a grain of salt -- whether those were her true thoughts. I don't think it was made up by her recipients but the degree of sincerity and commitment with which she made the statement is what I don't know. So I take it with a grain of salt --
>
> I said: "I made it once. I'll make it again. But do it [get a divorce] so I can get on with my life." If I put that to her, then that certainly stopped her in her tracks. Stopped her discussions.

And for him, leaving was more a fantasy. . . .

> Sure I had fantasies. But when reality set in -- reality was: three children, a wife, a dog, five cars, the house. That is the reality. Sure we all have fantasies.
>
> Where else could I go and -- uhh -- perform the high level of work that I was doing? I mean, I was at the height of my career. I had an international reputation. If I was going to run -- I would have to try and hide from my wife. Again, it may sound stupid but that was the way I viewed it. She wouldn't leave me alone.
>
> If I was going to leave her and tough it out in the city then that was irrelevant. Because I said to her that if this is what she wanted to do -- and my words were as simple as this: "I do it now while I'm still young enough to make -- to make it again." Because she was going to take everything. That was her philosophy. That was her condition for divorce.
> I was not always that generous -- but in desperation. I don't want to make it sound that I was always that generous. OK?

Guilt is a prominent emotion in the accused's analysis of his wife's torment -- as it is undoubtedly a prominent emotion in his own on-going experience. The accused remembers the weapons incident occurred with his wife provoking him until such time as he was pushed too far. His typical strategy of withdrawing let go. He now feels that he can understand his behavior during this incident as a plea for help and he can also now understand her behavior as a function of her guilt and depression. For his lack of perception of this at the time, he now feels guilty. He does remember observing a change in her behavior with the death of her father and the attempted suicide of their daughter; which led to the weapons charge which led to further changes in her attitude. This change and correlation he recalls pointing out to her, only to be met with anger. Sensitivities towards each other were suppressed. They did not "talk" and instead lashed out at each other in turbulent argument or retreated in silent, hostile contiguity.

> What happened when I was charged and convicted of the weapons charge -- destroyed her. I think more -- as I look back -- I think it destroyed her more than -- That was the cause of her depression. That was a major de-stabilizing -- not so much the outcome as the process. Plus she never -- well she did talk about it but she never talked about how it affected her. But I'm sure it was there. I'm sure that she felt guilty about having quote "initiated" close quote the process. But we couldn't talk about it.
>
> What was I going to say to her? She did say she was sorry for having called the police. I had no trouble with that. I did tell her that she had no alternative but to call the police. The chances of not having the police involved in such an incident are slim. There could have been other ways and the involvement could have been restricted. But the chances of not having the police involved were very, very minimal. But she wouldn't let it peter out. Every time she wanted to get me -- she was reminding me that I would not reach my professional goals because of that incident. It was true. It destroyed me. I had strived virtually all of my professional life --
>
> My wife had one more element in her armory that she used against me but she also used it against herself. Her inability to understand what was happening, what had caused the incident and her inability to deal with the consequences to herself and to the children as well as to me were grinding her down in her own shell while they were grinding me down in my own shell. The consequence to her was humiliation. That's probably the one word and perhaps knowing that there was something fundamentally wrong and not being able to identify it. She was not dumb. There are parts of her behavior that were consistent but not -- even those parts -- not to this extent and that's what was therefore registering intentional, deliberate, directed at me.
>
> I don't know how bad her depression was at that time but she clearly was depressed. I have some better ideas now. She may have been reaching out. I've always looked after her and when she needed me the most I failed her. I now put it together. The two things that led to that incident were her father's death and our daughter's attempted suicide. Those were the two things. She was never the same. This I had pieced together before the killing. Looking back when it all started to go to hell. I trace it back to her father's death and I told her that. But she wouldn't talk about it rationally.
>
> I had this feeling that these are things that destroyed her and plagued her. When we were taking my daughter to the hospital after her attempted suicide I said to my wife: **"It's not your fault"** [loudly]. I gather that somewhere along the line, she and my daughter had really had it out. I still don't know really what happened but my wife blamed herself. How the hell am I going to deal with it. I didn't want to keep raising it with my daughter because I dealt with her in a positive manner. My daughter and I analyzed everything and talked about everything and then I said: "Here is your pat on the bum and now get on with your life." So how do I then go back to it? I couldn't talk to my wife about it because of my fear that she would say that I was laying a

> guilt trip on her for it. It was left. It was another one of those god damn things. Nobody talked about it.

He tried to understand his own dysfunction by looking for "physical explanations." He tries to understand his wife's problems in a similar way.

> The irrational and emotional behavior is also due to other problems that she was having with PMS and with menopause.

Newspaper reports draw his attention and bring new relevance in the aftermath. The accused reads the newspaper diligently (unlike his fellow inmates whom he describes as interested in watching only cartoons and television movies.)

The accused refers to remembering strange things in the aftermath. Earlier life events having new significance. He refers to his wife's tubal ligation. He recalls the on-going disputes between himself and his wife, the difficulty in their communication, the lack of agreement and resolution. If issues were not completely avoided, they would seem to have typically been "mentioned" rather than discussed.

> You may have read an article in the newspaper that talked about giving very careful considerations to tubal ligation because the tubal ligation would greatly impact upon PMS. Guess who had a tubal ligation after our son was born?
>
> There was discussion about a vasectomy. It wasn't pursued very far but it was "mentioned" maybe even more accurately than "discussed." The tubal ligation was done right after my son was born, before my wife left the hospital.
>
> You remember strange things. I now remember she brought that up during the arguments when she was blaming me -- from my perspective -- for everything. It seemed to me at that time as "My God, is there no limit that she will not go?" She was blaming me for the tubal ligation and blaming the tubal ligation for her problems. Now if she had made the connection between the tubal ligation and her problems or if it had been made medically -- ? She certainly had never explained that to me. I just thought that it was a further part of her emotionalism and irrationalism. Now I read this in the newspaper. How do you think that makes me feel? -- [silence] --

His wife's behavior went out of control. His marriage was on the track of no return but he could not see it nor understand it -- and he could not escape. His love and sense of commitment and responsibility had locked the "exits." He tried to leave but returned in resignation and sought his escape through withdrawal. He describes the pervading atmosphere in the house as he and his wife co-existed in their resignation. He resorted to alcohol, she to prescription drugs. In the aftermath, it was discovered that his wife had been abusing valium. He tries to reassure himself about his own lack of perceptiveness respecting his wife's symptoms as they may have served as identifying signals of their ruinous journey.

> My drinking started to escalate with the tremendous workload in addition to everything -- If you even wanted to go back further who is to say that all of that tension, all that pressure, all of that responsibility which led to my increased drinking didn't produce -- didn't have an effect on her that was legitimate.
>
> She wasn't just fighting with the children and me -- she was fighting with all of the store clerks. I tell you now. It doesn't make me out very good. Does it? That I didn't see those things then. I found my escape in booze. She found hers in those god damn pills.
>
> Nobody knew she was doing with valium apparently what I was doing with alcohol. Everybody knew what I was doing but nobody knew what she was doing because of the nature of that abuse. Nobody knew. It's more difficult to discern. But that appears to be the reason for her fainting or passing out in drug stores and while shopping and things like that.
>
> The only thing that I have sort of asked my son about his mother was "Did you know that she was taking this much valium?" And he said: "No." I said: "Do you think that the others did?" And he said: "No."

The accused and his wife lived with their secrets. "Friends" that may have been privy seemed to have had their own "unmentionable problems." The social network in which they circulated, with its pride, images and facades, its preferred blindness and oblivion, failed to alleviate and perhaps may have even contributed to the dysfunctional coping and isolation of the accused and his wife. He mentions that the couple that he and his wife shared as their closest friends were themselves both alcoholic.

> Her one friend was usually so drunk herself that I don't think that she knew. It would be the blind leading the blind. I have no way of knowing if any other friends -- I have no idea.

He believed he could carry on "surviving" in resignation and withdrawal. He did not foresee the possibility of an "explosion."

> The feeling in the house wasn't what I would call tension. It was more confusion and frustration. If you're zonked, like during the trial, the tension was gone. When she'd finally affect me and get a reaction -- it would be tense. Because then I was reaching the boiling -- the boiling point. Not the breaking point. The boiling point. I didn't think I'd reach the breaking point.

He distinguishes between the "boiling" and the "breaking point." He was acquainted with his potential to reach the boiling point but he did not know that he had a breaking point. With hindsight comes new "wisdom" but its partner is pain and helplessness as it summons up thoughts of "if-only."

> If I'd thought I'd reach the breaking point, I wouldn't have been there. These are all of the things brought up. They always are with hindsight. But if somebody had laid some of these things out for me at the time of the weapons incident that they have since, then I would have understood. Even depressed I would have still been able to understand the plus-minus -- "If I don't get out I will hurt her more by staying." If somebody had said: "Look, this is where the two of you are going --"

The accused recounts the earlier weapons charge. He would not have predicted himself to commit the specific action of the weapons charge, but he can imagine being pushed to something serious.

> On the day of the weapons incident -- she had the ultimate put down as far as I'm concerned. Plus a severe embarrassment. I was sitting in the chair. She was standing in the foyer. The kids were in the family room. She stood there. She lifted up her skirt and announced to everybody that she was cutting me off all sex. How the hell do you cope with that? I wanted her to react. To stop. To think. To pause. To look at what she was doing. We were an open family but not to that extent. As it turns out we were on the road with no return.
>
> We all reach a breaking point and so to that extent I can imagine being pushed. The specific act [wielding a gun]? No. But doing something serious. Alright. Yeah. Yeah. But there's one hell of a big step between taking a shotgun, aiming it at somebody and pulling the trigger. The strength that that must take to deliberately act in that manner --

In his own state of depression at the time of the weapons charge, he interprets his action as his need to get a reaction from his wife and for others to recognize his plea for help.

> My frustration then was not to remove my wife from the face of the earth. My frustration was to find some way of dealing with her. Not to remove her. Nope. That wasn't the goal. That wasn't the purpose. It was very confused and not very smart obviously, but it was not -- [pause] -- It was desperation in the sense of complete failure. A complete failure. "What do I do now?" It wasn't: "You bitch, I'm going to kill you." No. This again is judgmental -- it was: "We can't live this way. How do I get across to you that what is going on cannot continue? Rightly or wrongly, I perceive you to be more of a contributor to this than me. No matter what I try to do -- you're not helping. You're not working. You're getting worse. I'm at my wits end. You know what to do." She was provoking me. That's my perception. How accurate it is? I don't know.

He explains the underlying reason for and meaning of the statements that his daughter recalled in her testimony to the court and that the prosecution interpreted as evidence of his capacity and intent. To him, the intended meaning behind the statements reflects his own ignorance of his potential to reach the "breaking point."

> I know that it sounds incredulous, but the reference to the knife is made in the context of demonstrating to my wife that I do not have any intention at all of "slaying." The boys wanted the guns brought home. We all wanted to go hunting. Everyone knew that I could not handle the guns but I could handle the dog. And the boys wanted to bring the guns home. My wife wasn't sure that the guns should be brought home given the weapons incident. I said to her: "Look if I had intended, or if I wanted to kill you, the knife is here." That's the context. Stupid as that sounds. But who is going to believe that?
>
> This is piecing together: "Don't think that the guns are going to change anything. There's nothing to change. Had there been a desire, intent, a want, a wish -- a whatever -- to do you harm -- it could have been accomplished all along because the knife is right there."
>
> I make a statement to my daughter [before the homicide] which she testified at trial: "If I had killed your mother at the time I was charged with careless use of a weapon -- I'd have only two years left to serve." I'll give you my rationalization for having made that statement. I can tell you that I did not have an actual intent to kill my wife. I can tell you that. Why do I say this two years later? This is all rationalization. This is the excuse. This is the cause: I am so despondent. I am so depressed that when I made that statement I was speculating -- obviously incorrectly -- that things could not be worse than if I had killed her. Now that's my rationalization. Sheila, we had gone through this tremendous pain, through this awful pain, through

> this tremendous heartache since the weapons charge. How could things have been worse if we had quote "ended it?"

The accused believes he was capable of making the decision to leave his marriage after the weapons charge -- of realistically assessing the deterioration and destructiveness of his marriage -- but he was unable to follow through in action. Psychiatric interpretations -- his depression and his wife's depression -- are incorporated into his analysis and reflections in his effort to understand why he and his wife lost control of their better judgment. The self that he relied on -- his mind -- couldn't help him. And the wife he thought he knew -- had changed. He analyzes his and other's behavior and actions in terms of "rational" and "irrational," "intentional" and "non-intentional," "deliberate" and "non-deliberate," "mind-full" and "mindless."

> I couldn't deal with my inability to make an impact -- to effect change. My helplessness. I couldn't deal with that situation. I've always had good sensors. My sensors were aroused but I couldn't believe what they were telling me. All of my sensors with respect to my analysis of my wife's behavior towards me told me that she was doing these things deliberately. But I couldn't accept that. I couldn't believe that she was doing that deliberately. I end up being quote "right" close quote because she's doing it because of her depression. But because I couldn't believe it, I couldn't take any steps to get out -- to resolve it. And the one time that I took the steps to get out, she just came back, came after me. She just persisted and persisted. And I resisted until her last ploy which was to put my son on the phone and have him ask me to come home. And after that I guess I just gave up --

The court was influential in his decision making. The use of "quote and close quote" throughout the speech implies a kind of cynical awareness of how the opinions of others, though they may be lacking insight and understanding, impose upon his world and influence (interfere with) his decision making. Not only was he entrapped by his commitment to the vows of marriage and the role of husband/father but he was cognizant of judgements by the social-legal community -- which he tried to dismiss.

> To show you that I had quote "made a decision" close quote -- it was within a few weeks of my sentence for the weapons incident. This was before the sentencing. So I realized that leaving would have adverse consequences in that respect. My lawyer doesn't know about it. You are the only who

> knows about it. I realized what this was going to do to my sentence: if I had quote "left my wife" close quote -- more accurately -- "we had split" -- that it would not likely put me in very good light or standing before the court several weeks later. But I felt that I had to do it. That I couldn't take it anymore.

He could not take it anymore. But he did not leave. He stayed -- until the end.

> If somebody had said: "This is where you are going --." There are so many things that could have been changed. Even drunk I could have gotten out of the situation, therefore, out of the inevitability.
>
> But nobody can believe this. I still don't believe it. I can go through these things but to believe that this was going to be the result -- that I could do something such as this -- **No!** [loudly].

The accused contemplates the atmosphere of his home -- the escalating deterioration in his marital relationship. His children tended to withdraw from any conflicts but did offer their views that the marriage was in trouble. His sons suggested that he move out with them. This appealed to the accused but he was caught in his feelings of responsibility towards his wife. He was caught between his values of commitment and his emotions. His loyalty to his values superseded his emotion -- ultimately his emotion superseded his values:

> Everyone suffered, much more so than I think anyone would admit at the time -- than anyone could recognize at the time. -- [sigh, silence] --
>
> The children didn't really get too involved. They would withdraw. They offered their opinion that: It was "all over." The marriage "was gone." There was "nothing left."
>
> The boys and I discussed setting up shop on our own. And this sounded fine until I started thinking about what the effect of the boys leaving with me would be on my wife. That's where it always broke down.
>
> If I had been able to just say: "To hell with the kids and with you." Then I would have gone a long time ago.

Though he considered that he had resigned himself to his situation, he believes he didn't resign from his responsibility of offering some positive contributions to family life.

> There were times that I felt that I was competent within the home and rightly or wrongly still do feel that I was competent with respect to the children. In terms of any major decisions about the children, she never made any of those decisions. She really wasn't competent in that domain. Maybe I should say she wasn't able. Strike the word competent. I could always handle their problems. I could handle the rest of the problems in the house too. There were times I couldn't face them at the moment but if my wife would just leave me alone -- tell me what they were but leave me alone -- I could handle them. Who else handled them for God's sake? Nobody else handled them. Anything that required any decision and certainly any major decision -- In terms of spending money she made all of those decisions.

It is interesting that she was assigned to financial decision making. As was later discovered she wasn't able to handle financial affairs. Ironically, at work, he felt the power of holding the fiscal lives of clients in security; while at home, his wife's power was being felt in the reverse -- she was holding his fiscal life in jeopardy. She was out of control in her spending and had been building her own web of deceptions.

The accused does not know why his wife went "crazy" on the "fateful night" but he speculates that she was building up tension with the deception of their financial state and her continuing spending. She had accumulated a $20,000 debt and had claimed she needed $2000 to clear up the bills. It was this claim that signifies to the accused his wife's most dishonorable behavior. It is the most affrontive to his ideals of trust in marriage.

> Deceptions had been going on for eight or ten months -- that's how far we [the accused and his lawyer] traced the bills back. All hell was going to break loose on that and she's still going out and charging more. I presume she's living under a hell of a pressure and strain of that because she knows that she would be completely cut off of all funds plus I would have accused her of lying to me, which to my knowledge, is the only time that she had lied to me. And she had. When I was bringing the mail in -- and to show you how I trusted her -- I wouldn't open it. It was her mandate. Her responsibility. If I'd opened it I would have seen that she's got a seven thousand dollar debt and she has been telling me that she's completely paid up. That's the lie. Not the spending. The spending isn't the lie.
>
> If I had opened those damn bills and had seen she was lying to me -- that would have done it because she had never lied to me. To me that is the same as an affair. That was the breach, the complete breach of trust. That then would have removed the responsibility that I felt for her. Then I could have left. That she had lied telling me that if I gave her another two grand that all the bills were paid and up to date. And in the meantime she is almost $20,000 in debt. No I wouldn't have -- I would not have put up with that. I would have said clearly: "This is it."

They were caught in their dependency upon each other -- projecting to the outside world the image they preferred. But herein is their dilemma. He wanted to climb the ladder of his profession -- increase his status. She wanted to share in the status through her image of luxury. But the two were not necessarily compatible.

> Something that I don't even think that my lawyer knows is that she made me promise that my increased position with its added responsibilities would not reduce the total take home income. And it didn't. So you know how I had to compensate.
>
> A higher appointment was something that she wanted for me. But that was my goal. That was not her goal. She enjoyed the trappings of the position -- the status, and the travel, the parties, and the fine wines and dinners -- that kind of junk. So I think that part of it she liked. But she saw what it was doing to me and she resented it. It was taking me away from her. So clearly from that point of view she resented it. And one of the things that she was most concerned about with a higher appointment was that I wouldn't be making as much money.
>
> She certainly saw the quote "downside" in terms of the reduced income. And she certainly made that clear -- that there would be no such appointment until there was enough income to maintain the lifestyle that she had become accustomed to.

Though the occasion for life to be a "bowl of cherries" seemed to have approached -- apparent financial security, professional advancement, children raised successfully, shared travel opportunities -- the pitfalls and rocky edges continued to signal a decaying relationship. The scenery they searched for appeared to have a similar hue but the track they travelled together was fraught with abandoned hopes and "dead ends."

> The only independent travel she did was she went to visit her aunt in San Jose. She may have gone with our daughter the one time that I know. If she went alone -- it was only to a funeral.
>
> As the children got older, she would come with me all of the time if I travelled. She would always come down to meetings or other business. She went to Japan and Houston with me. Anywhere that I would be gone for a week or two weeks. She would come with me.
>
> The last time we went somewhere was to Regina. She was with me. Was it better? No. She was drinking more then and she would start in. But I stress that that was the last week that we spent away. That was not typical.

> I mean it happened but it had never happened to the extent that I said: "Why the hell did I bring you?" Those are my exact words: "Why the hell? I need you like I need a hole in the head. You just sit there and bitch at me." -- [pause] -- So that in one sense we were spending more time together -- but it was blind hope --

He has difficulties with the incongruities, the lack of logic of his emotions. His train had no straight track to follow. There was good -- love. But love is irrational. And so there was bad to endure. It came with the territory.

> Then I rationalize the other [the bad times]. That this came with the territory. If I was going to stay with my wife then this came with the territory. And we're forgetting one thing. Love. And that is irrational.
>
> If I didn't love her I would have then been able to say: "Who cares if you can't make it on your own? Who cares if you become an alcoholic? Who cares if you overdose on pills because I've left?" Damned if you do and damned if you don't. If I could have said: "OK. I'll take the boys. The hell with you." Love is irrational. It doesn't fit together [whispered]. -- [silence] --

Within the conversation, much emotion is conveyed in the accused's silences: remorse, regret, guilt, sadness, love. As he reviews the dynamics of his marriage, he reflects that silence was a frequent style in his communication -- an expression of his anger, frustration, and helplessness. His wife on the other hand, would seem to have needed more than this and would thus try to solicit an overt reaction from the accused through her own verbal or at times physical provocation. And she would get a response . . .

> She provoked me enough, then I would respond. She knew how to get me and I knew how to get her -- with my mouth and I could do a very good job.
>
> I slapped her a couple of times. She slapped me too. She came at me with a pair of scissors. Maybe again this is wrong in terms of my ability to perceive and record correctly, but if I had perceived myself as a wife beater -- I would have shot myself. Right then and there. OK. I mean that. Whether I was and didn't perceive it correctly or whatever -- But the point is this: Had I thought that I was -- I wouldn't have been able to live with that.
>
> I can be very sarcastic and I can abuse with my tongue. Was I verbally abusive to my wife? The answer is yes. But not physically. I didn't think so. There were times when -- there is still no excuse -- but she would become so irrational to the point that there seemed there was no other alternative. I mean there was -- there was another alternative. -- [silence] --

The circles lead him to thoughts of inevitability. However, he does not consider that he chooses inevitability as an avoidance nor explanation to permit irresponsibility. Infidelity was not an issue in his marriage. The principle of fidelity was upheld by himself and shared by his wife even in the midst of marital misery. He recalls that he did not submit to inevitability as a rationalization to have an affair. Though presented with the opportunity, he chose to avoid the invitation and did so with "class."

> How can you be clear about inevitability? I'll try this. Some people say that an affair is quote "inevitable" given a set of circumstances when one is vulnerable. I never believed that and nor did my wife. There was one occasion where I was "hit" upon extremely hard. I was quickly put on guard as a result of this and I had no difficulty getting out of it with quote "class." It was a sensitive situation. It was a client and I wanted to keep the client for obvious reasons and I didn't say: "Ahh -- it's fate." So clearly I have demonstrated to you that it's not all inevitable. And yet there is a part that still keeps saying: then how come killing becomes inevitable?

The dead-end of his vicious circle lures him again to inevitability as an explanation for his inability to exit out of the marriage. However, this does not relieve him of the responsibility nor the guilt of the "inevitable outcome." Contemplation of the inevitable takes him into more conflict and confusion.

> If you can do it and clearly I was not drunk to the point that I wasn't recording because I can tell you much, maybe even almost everything given normal failings of memory over the time. So that was not inevitable. I guess it was inevitable in this sense: that if I wasn't selfish enough to get the hell out given that there were signs that I now see of escalation. OK. Given that it was escalating. It wasn't going the other way. Given that I was unable or unwilling to get out -- it was quote "inevitable" and that means -- guess who is to blame?
>
> I don't believe in fate. You do have some control over where you go. But maybe when it comes to affairs of the heart -- I don't know. Maybe the fate came from the unwillingness to accept fate. The fate is that I was not selfish enough. If I was a real son of a bitch then I would have left. I mean there was no doubt I would have left her. I would have left -- drunk or sober. Life with her was completely unbearable. That's why I drank. Listen to me -- that's giving me an excuse to kill her. It is. You know, I mean -- I didn't -- I mean for that reason -- I mean I don't know why I did her -- but -- listen to that.

The issue of morals is threaded throughout the conversation, although not directly addressed as a topic. He refers to his perfectionism and high self-expectations. In a sense the ethical principles and moral standards that he believed he could live up to set him up as well for defeat. He did not incorporate into his self-vision his own human frailty and vulnerability. Of these he is intolerant and tries to explain them away through rationalization. He can view other people to some extent with acceptance, or at least acknowledgement, of their shortcomings. He recognizes his own shortcomings with an intolerance and struggles to keep them to himself. In a sense, his loyalty to his principles and to his ideal image did not coincide with his lived experience. For example, he expected of himself in his "perfectionism" to abide by the vows of his marriage as he had translated them -- although his "sensors" were telling him to "get out." They did not conform to his self-expectations as husband and father. He tried to uphold a principle of responsibility as he had ideally conceived and intellectualized it although it did not conform to, and had been lost in, his feelings. Somewhere he learned to dismiss the validity of his own felt experience in the ideal conceptualization of himself as a principled, ethical and moral human being -- immune to contaminating circumstances and emotion. In order to maintain the vision of himself he had to avoid his humanness. He tried to substitute ideology for "being." It became his reference and propellent, in contrast to and opposed to his instincts and feelings. In order to retain the image he preferred of himself he could not risk coming to grips with the incongruity -- until it met him face to face on the fateful night -- it "inevitably caught up to him" and continues to "catch" him.

> Why is it we develop such strong feelings that overwhelm our rationality? Love is irrational. -- [silence] -- If we could choose someone to fall in love with, I suspect we'd make different choices. It's irrational right from puppy love. It's irrational all along. The only time I think it is rational is with respect to children. I think that the love that is there for children is rational -- but spousal -- how we choose our spouses -- [silence] --
>
> There are times when I wish she had killed me and then there are other times when I can't. Because I wouldn't want her to go through what I'm going through. She couldn't go through this. There's no way. And I

> couldn't wish that on her. And I do that despite everything that has happened.

The accused's ability to formulate retrospective insight (right or wrong) regarding the dynamics (internal and interactional) that contributed to the tension and conflict of his marriage significantly contribute to the pain and frustration in the aftermath. To be able at this point to assess the criticalness, the degree of dysfunction and the destructive patterns comes too late to undo the ultimate damage that occurred. His insights and understandings cannot be applied in a preventive nor a curative manner and he is left "frozen" in his self-assessed strengthening of capacity and resources, that is, they have no application insofar as he can tell. The "if-onlys" emerge as irreparable wounds and carry with them raw emotions of hurt and anger, sadness and regret. Examples are his wife's depression and his own depression; poor communication and coping strategies (provocation/withdrawal); the loss of their only source for venting, monitoring and controlling the escalating deterioration -- his parents-in-law; and the consequential closeting within the family constellation of marital and family problems (for example, his daughter's attempted suicide) with no outsiders privy to their secrets. He now considers that these may have been treatable and if not -- he would have gotten out. But it is too late.

The Sleeping Car: Into "Never-Never-Land." When we enter the sleeping car, it is nighttime. The sheets are turned back but nobody is in bed. It is mostly dark although there is some vague light -- its source unidentifiable, unknown. It is within this car that the accused tries to recall the event, to gain some understanding of his thoughts and actions during the fatal incident. He tries to assess his intent. Too frequently he comes up with blanks. Behind the curtains lies the unexpected. He finds "monstered" shadows that do not disappear but continue to lurk even in the glow of light. And if they can't be seen, they are nonetheless deeply felt in their "demon"-stration, mystery and incredibility. Sleep is sought but can't be found -- then and in the aftermath. This is the car that contains the event and in its inspection the accused reveals his rebuttal to emotion --

his need to withdraw from conflict, his advocacy for peace and tranquility, and his search for oblivion. It shows his frustration with the irrational, the unexplainable, and the unbelievable -- the need to find a fit for that which does not fit into the scheme of things.

In recalling the event the accused enters a circle of if-onlys and what-ifs: if only he had been able to get to bed . . .

> I'm absolutely convinced that if I could have made it to bed -- **Nothing would have happened that night** [loudly, slowly and deliberately]. I'm absolutely convinced of that.

In his need to avoid feelings and emotions -- those he feels extended towards him from others and those he feels from within -- he utilizes a repertoire of withdrawal strategies and responses. This style of coping is one binding thread in his functioning and existence. It is his defense and means of survival in the face of the pain of his "reality" -- prior to, during, and since the fatal event. He tries to hide and escape by altering his awareness be it through sleep, alcohol, drugs, muteness, deafness, and/or blindness. He holds these as his tickets for the train to "happy land." A strategy his wife denied him on the night of her death:

> And if there is anything that I remember it is: "Just leave me alone. Let me just get to bed and then I don't have to deal with you and I'm not going to deal with you. Fighting is dealing with you and I can't do it. I'm not going to."
>
> "Just leave me alone. Leave me alone. Just let me get to bed to escape." The thing that scares me is then -- would it have repeated itself? And I don't know. But I can tell you that it would not have happened that night.

The evening had been anticipated with optimism but turned into a nightmare. Tension clearly mounted when his wife was offended by his attentions to another woman. Divorce became a topic for dispute.

> The night was a great night until I had this quote "dance" close quote with one of my friend's date.

> Divorce was a point of dispute -- taking everything again. Her words were: "I'll take you for everything you've got." Then all of the swear words -- all of the swear words after [quietly].
>
> People that saw her that night said that it was obvious from her attitude and behavior that there was going to be an altercation. The build up was there. Nothing could be done. That is exactly the way I felt. And that's why I wanted to get to bed and to simply to quote: "to leave it alone."

In general, prior to the fatal incident, the accused had coped with turbulence in his marital relationship and with his wife's "irrational behaviors and verbal abuse" through drinking and withdrawal. He acknowledges that "hitting" had occurred in their marriage but infrequently and he did not consider it a chronic nor significant behavior in their interaction.

> This is another thing that bothers me, the prosecutor is talking about this as though this is a regular occurrence and a regular event. It was clear that **it was not** [loudly].
>
> During the evening, she had hit me here [pointing to his shoulder]. But so what? She had been hitting me there ever since she had come out to the car -- [sobbing] -- I can imagine hitting her back. I can imagine that. That's not too difficult for me to imagine -- [whispering] but not that [killing her].
>
> The prosecutor's answer to everything is that "You hit her after everything." The answer is: "No." I had gone past that. Hitting was never a very big issue in any event but I'd gone past that. I couldn't even deal with hitting as an answer. Nothing was the only answer that I had.
>
> And that can explain the dissociation. What is perceived by the prosecutor as non-drunk behavior and evidence of my sobriety, to me, is my conscious decision to withdraw and avoid. I do that the whole night until at the end something breaks -- something breaks -- something happens -- something goes. This is rationalization: as long as it is something that I have seen or dealt with before I guess I'm fine. I put up with it. But the punch to the mouth -- using the terminology -- that's the fuse and the fuse broke.

Part of his overall strategy was to encourage and convince his wife to withdraw and retreat in the midst of her emotion. On the night of the homicide, she would not use this strategy for herself nor would she permit him to use it for himself. She would not let him go to "happy land" -- to bed to sleep -- images of peace and tranquility were lost. He was denied escape, and the train accelerated on the track of no return to "never-never-land."

Hostility and turbulence in unyielding motion, out of control, running away. If only she had not punched him in the mouth . . .

> Part of the "what-ifs" -- if she had not hit me -- [silence, big sigh] -- If she had not hit me. -- [silence, big sigh] -- As I see it, I had been able to handle everything else. Something happened after she hit me. Whatever happened. She had never hit me before. I don't remember if I saw the punch coming.

He checks himself in his recollection. To me he thereby reveals the genuine investment he gives to our encounter -- his struggling honesty with me, his struggling honesty with himself.

> This is rationalization. I do remember the punch coming and the thought that: "Why? No it can't. No it can't." I do remember [blowing nose].

He does remember and is haunted by the memory of his wife's "craziness" on the night of the incident.

> As well as the punch was the demon-like expression and craziness. Something had happened, Sheila. She had snapped.
>
> Something happened to her. It's a pretty sad thing for me to say. She was not sane. At that time she couldn't be. That sounds like some sort of justification. But she wasn't in control. **She wasn't in control** [loudly, slowly and deliberately]. -- [long silence] --
>
> But something had happened, Sheila. She had snapped. I couldn't believe that she would deliberately try to hurt me. That was what that punch -- The rest of it I handled as anger and frustration -- irrational. But never in her degrees of anger, frustration or irrationality --I mean this was -- I mean there was not mistaking -- the intent. There was no mistaking.

The intensity of the present penetrates his interpretation of the past. In the aftermath, the world has become a world of "intent" or "non-intent." The issue of "intent" and the importance of "intent" in the eyes of the accused comes up in his recollections of his wife's behavior during the homicide. As he looks back on the event and the interaction between himself and his wife that night, he remembers determining his wife's actions as deliberate just as the court has determined his action. In his assessment of the perceived deliberateness of her action he looks for some dawning of reprieve for his reaction.

> I was not able to recognize her depression. My perception was that these were deliberate actions on her part and I had no way of coping with that kind of deliberate act by her towards me. All I could do was drink. That was the only way so that I wouldn't have to deal with it. Withdrawal and avoidance.
>
> There had been an unbelievable amount of provocation towards me that evening. I don't have any recollection of it being so bad that I can't take it. The reason that I don't is that it is so bad I am shocked because I do remember the disbelief. I do remember that. I remember her eyes and that is something that I am going to have to live with. My son is going to have to live with coming into that room and seeing her there. I'm going have to live with her facial expression and her eyes -- [whispered] -- How could she have turned? Been turned like that?

But self-reprieve is not forthcoming . . . he gets back into the vicious circle.

> That's again the old battle. How could I have done that? How could I have turned her into that kind of person? Yet, I'll be honest with you -- at first I wouldn't accept that it was anybody's fault except mine. Now, if I want to just focus for instance on that evening -- there is no way in anybody's mind that justifies what she did. There isn't.

The accused describes that he initially escaped reflection over the event through "denial." In particular, he was unable to look at the role his wife played in the incident and was told to be "denying" in the hospital. He recalls the effort one nurse invested to encourage him to contemplate his wife's contribution to the conflict and violence.

> I couldn't admit that possibility at first. I just felt that I was garbage. That was my terminology at that time. The problem was where did this wound come from? [points to hand]. I started thinking and I came to some conclusions as to where that might well have come from. One nurse sat me down and she just forced me on this thing and asked me when and where had that come from [referring to injury, scar on the co-participant's arm] and finally forced me to say that it was a possibility that I had gotten this from my wife. They had called my difficulty "denial" when I couldn't talk about how my wife had behaved. The nurse said: "You didn't stab yourself." Now I don't know if she's right or she's wrong -- I mean -- in that frenzy -- in that frenzy.
>
> The nurse and I --we were both completely emotionally drained and exhausted as a result of that. She forced me to look at some things that I wouldn't

> before. The image that I was projecting at that time of my wife was that she was just completely sick. And I was all bad. It was all me.

He feels guilty that he now incorporates a convolutional potential in his understanding and in his argument. He tries, however, to appease himself by considering that he does not over-emphasize her contribution -- he does not start his argument as one of self-defense.

> There is one part of the factum that deals with the issue of who got the knife. Whether it was me or whether it was my wife. I have written up arguments to support the conclusion that it was my wife. Think of that [loudly]. If I was going to tell them a story then what better place to start? The more I think about it -- it bothers me because in that "frenzy" -- it's completely possible.

This recollection is not comfortably pursued. He is self-conscious about sounding accusatory towards his wife:

> In fairness, I'm guessing that the reason for that is that I was not reacting to anything else so therefore she was going to make me react.
>
> She knew that if she provoked me enough then I would respond. I mean she knew how to get me. I honestly think that she hit me as a last resort. Nothing else was working. So -- "Let's see what a punch to the mouth is going to do?" All I wanted to do was to avoid her and get to bed.

As the accused recalls the event and the punch followed by a blinding flash of light and circles, he enters a circle of questions respecting whether he was knocked out, blacked out, or if he was overwhelmed by his own emotion of shock, anger and violation.

> It was a hard punch. She put a lot of effort into it because I also recall the pain. It was a hard punch. Now whether that caused any physical change for me -- I didn't need a hell of a lot more to be put out because I had had a lot of liquor. I was able to make my way around because I could handle a lot of liquor. But I was shuffling around. Whether I snapped physically or if I snapped mentally -- I don't know. But to me -- something happened -- [pause] -- I can't believe otherwise what happened would happen -- [long pause] --

Regardless of the cause, two "animals" -- two "demons" -- encountered each other that night. In his recall, he is frightened by the memory:

> She was crazy that night, you could see it in her eyes. That's something I'm not going to forget -- That's something that still, I'm not going to say scares me, but pervades. It still is scary.
>
> It was as though she was possessed -- demons. We're out of human. Clearly insane.
>
> And at that point -- that's where all the gap begins. Except -- there is one more thing. One more thing. A blinding flash of light and some circles -- going around in my head. And then -- to use the psychiatrist's term -- then the recording stops.

He is blocked in his recollection, circling in his disbelief and confusion. He couldn't retreat into sleep that night. But there is the apparition of sleep. He became lost in the violence -- anesthetized in its horror and terror.

> When I was in the bedroom I realized that I had stabbed her. That's what causes the complete panic -- the complete terror. I guess I will remember that. Interesting the things that you do and don't remember. She's right there. She's got to be. And I don't see her. **I don't see her** [loudly]. Yet I remember being so dry. I've figured out that when you go under an anaesthetic it is a similar dryness. You just can't handle your mouth. Just terror.
>
> But she's there somewhere and I don't see her -- [choking, crying] -- I don't see anything. I don't see anything. I say she's there -- I mean, the bedroom -- because I know that. Whether the dry mouth and the terror prevents the other [seeing her] or whether the dry mouth and the terror occupies your whole functioning about it -- I don't know. But there is nothing else there. There's nothing else there.
>
> I knew she was dead. I knew that I had stabbed her. I knew that then. How I know is not that clear. But I realized I had stabbed. I remember the need. I remember the panic -- I mean the terror. No, I remember the panic. I remember the mouth that you can't -- the saliva that you can't swallow. That I remember. That is something that I will remember as long as I'm here.

One of the struggles of the accused in his effort to recall the event is that he is unable to see the "havoc" in the bedroom and, in particular, he is unable to see his wife on the bed. It is difficult for him in that he doesn't understand how his mind can work this way. It makes it more difficult for him to believe what he did.

He couldn't escape from his wife that night and consequently from the "animal" within himself but it would seem that he has escaped from some of the memory. Although there is no escaping the "facts of the evidence" nor the "tangible reality" of his current life circumstances (incarceration, et cetera) there is some escape through amnesia. Within the midst of his amnesia to search for intent is to enter an endless tunnel of dark questions and yet for him this is so much the task of his journey.

> How the hell do I know what I intended after I am not recording? This is the scary part. Am I capable of an intent? If so is that what I intended to do? To butcher? How the hell do I know what I intended?
>
> Something else just occurred to me as a result of our talking: that feeling -- that terror -- that panic -- that horror -- that could have been there when I "came to." I just thought of that now. Maybe that's a result of your coping. That could have been there when I came to -- when I start recording. When I realized that I've stabbed my wife.
>
> One of the things that comes into my mind is that I react. There isn't any -- I'm recording. I'm not recording very well. But I am recording. Whether I was recording through the incident and now I'm unable to bring it forward or whether I was not recording or whether I feigned the whole thing but I am recording afterwards.
>
> I don't record any thought processes and the awareness is something that just happens. The most that there would be is -- I don't know if it is a complete reaction -- the same as if it's something hot to your hand. Or if the idea is there and it is the only idea and that I react. The idea comes in and then I go. There's so much that I can't remember about what I did. I know that I stabbed my wife. I know that.

Emotion cannot be avoided. The anaesthetic is only temporary. After the killing, in ultimate turmoil, further avoidance by running away is all the accused could think of.

In trying to remember the incident, memories of the actual incident mingle with memories in the courtroom, the pain of both intertwined in his processing. He recalls the accusatory questions of the prosecutor. He would seem to continue to ask himself the same questions. He is always addressing the issue of intent in his own mind as it was the issue of the court. At this point, he associates "intent" with clarity of thought. He explains that his behavior right after the incident,that is, driving to his friend's farm, was not a decision to avoid the law, to avoid responsibility but rather a frantic urge to run away. His need to escape carries on.

> I'm in the bedroom and I realized that I've stabbed her. And then my mouth is dry -- then the only thing is to run away. The dryness is what sticks in my mind -- in my mind. So one wonders what happens to my mind at that time -- something happened. Not to see your wife but to remember that your mouth was dry.
>
> I know that I stabbed my wife. All I know about drinking is that the bottle is empty when they find me. Going to the farm -- if that was a decision in a sense of trying to avoid punishment -- then I can assure you that would not have been my decision. That's the first place that anybody would look.
>
> We go through this during the trial: "You made the decision to --" **No.** If I was making a decision, Sheila, the last place I would have gone is my friend's farm. You don't have to be a genius to look there. I went there all the time. The police are such great investigators. Why the hell don't they take that into account?
>
> If I had planned this and if I wanted to get away, the last place I would have gone to would be the farm, presuming you'd want to get away for the sake of avoiding repercussions. I'm not an idiot. They admit that. I would not have gone to the farm. I drift, I just drift -- running away is all that I can think of --

In his panic and terror he remembers searching for "final sleep" -- his own death.

> The decision to commit suicide I remember was half-way there or somewhere -- But initially in getting into the car and getting the whiskey and getting dressed I have no recollection as to what was motivating or what was happening but just the knowledge of having stabbed my wife and a fleeing feeling --
>
> I take risks. That is demonstrated by the evidence. I get dressed. But I don't remember that now. I guess I originally remembered getting dressed but I don't remember that now. I forget that now. I say I must have remembered because someone testified that I told them -- the Crown's psychiatrist -- that I remembered getting dressed. His notes indicate that. I forget that now. My recollection of the trip out to the farm is just a haze. All a haze. Yet I remember some lights in amidst all this haze. I remember some lights. It must have been an approaching vehicle. Then the next thing -- somewhere on that trip -- I made the decision to commit suicide.

He didn't get to close his eyes on the night of the event but he kept his eyes closed, drifting as though in a dream, half-asleep on medication throughout the trial. He coped by withdrawing.

> The only way I could survive through that trial was to just keep my eyes closed and they had sedated me so I was in "never-never land." By keeping my eyes closed I just let it drift by.
>
> The courtroom was packed that day. I had no, no idea. I couldn't have dealt with that. Have you seen the ads for the Moscow Circus? At the time in the courtroom, I wasn't a zombie because if I was a zombie I couldn't have testified but I was in "happy-land." I'm sure they didn't do this for very many people but they gave me my own stock of pills that I took. They gave me my shot in the morning and I was able to keep my little package of pills -- "happy pills" -- and water all the time. So I survived. It's quite simple: they drug you -- then you put up with it.

The accused coped with the courtroom "circus" by withdrawing to "happy-land." As long as he is able to use this strategy he can "survive." He survived in the courtroom, a frightening experience, because his familiar coping methods were accommodated. He didn't have to fight -- the animal was subdued -- unlike the night of the incident and unlike his court appearance for bail application.

Surviving in the courtroom has been one of the accused's greatest struggles in the aftermath. His courtroom behavior during his second bail application was such that he thinks it caused denial of bail. The only place that he might have been granted freedom prior to his trial -- the court -- became another cage that imprisoned him.

> My lawyer said that the judge would have let me out except for the manner that I presented myself in the courtroom. I guess he was concerned for what appeared to be my frame of mind and potential self-destructive behavior.
>
> My lawyer said I was just like an animal in a cage. My daughter described I was ten times as bad in the courtroom during that bail application as I was the first time that she had seen me in the hospital which was only several days after the fact.

Throughout the murder trial, the accused coped with being in the courtroom through blindness. He avoided the eyes of others by keeping his own eyes closed. But he was not asleep. He was just surviving.

> Throughout the trial I kept my eyes closed. The judge could be sitting there and I wouldn't know it was him. It was the only way I could survive.

> When my lawyer talks to me about going back for the appeal -- I said: "No." The only way that I could force myself is if he thought that I could be of some assistance. That isn't the case. Everything that I could do has been done. I'd just go crazy. I'd just go crazy -- to go into that courtroom -- convicted of murder.

He couldn't get to sleep the night of the event and he has not been able to get to sleep since. Since the event, he has been haunted by nightmares and has consequently been prescribed sleeping medication. The accused does see himself as privileged in some ways. He has expressed a view of himself as an unusual prisoner and feels that he is regarded as such by prison officials. However, he experiences this as working both for him and against him.

> There is no way that anybody else gets sleeping pills like I do or gets librium. They put me on librium at night so that I can try to get a better sleep. Friday night I slept like hell. I pretty well slept all night. Right through. It wears off. That's the problem. The nightmares wake me up as well. But now all my focus is on the appeal.
>
> The nightmares have simmered. They've simmered. Part of getting stronger. Feeling better. So I've come a hell of a long way. The nightmares were always streaky. They come in bunches and streaks. They still come in bunches but they are fewer. There is more confusion. They are not as the nightmares were. Physically tortuous. I'm not as afraid of them now. They don't scare me as much. They now torture my mind -- almost like mind games. Like I'm subconsciously playing mind games with myself. The fear part is not present and I sleep better although I didn't sleep last night.
>
> The fact that I've seen the psychiatrist here I'm sure is viewed as "preferential." I think he comes once every two weeks while there are four hundred and forty sick people here. Most people he doesn't even see. You don't appreciate how fortunate that I am to be seen by him. There is one fellow that at lunch the other day -- I never told him about the medication -- but I mentioned very casually that I had seen the psychiatrist. He said that he's been trying to see him for a year. That's the system.

Inside the prison, ten minutes of escape (however accomplished) is a saleable commodity.

> I never told the fellow about the medication because they'll [the other inmates] pressure you. They'd resent you. And they'll offer you anything. They'll offer you their mothers and sisters. And I'm not exaggerating. The librium gives you at most -- a ten minute buzz. Then it sinks in. The buzz is -- at least to me -- no more than ten minutes. But that ten minute buzz -- they'll do anything.

The accused still searches for escape through withdrawal -- he is highly motivated in this search and makes use of his regard and status within the prison system. The trouble is the medication wears off. He is left to deal with his circumstances and environment and once again resorts to avoidance strategies in his relations with others. The accused asks those around him, as he did his wife and obliquely his peers, to "leave him alone." Though the incident has disrupted his sense of self, he relies on his knowledge of himself as disciplined and self-controlled, and utilizes familiar coping strategies. He objects to being "ridden" by inmates and staff and asks to be left alone.

> From my point of view, it's very simple: "I'll leave you completely alone. Please leave me alone." But there are idiots in here. And how long will I let them just ride me? You can usually just avoid them by not saying anything and by going to the cell. There's one in particular -- I've got him identified --. He's going to have to go very, very hard to get me to react as a result of my schooling and discipline. It gets tough. There is avoidance and withdrawal.

The accused feels the stress mounting with the delay in his appeal. It is for the accused more time to go over everything, increased awareness of being dependent upon others and on their choice of action. He wants to be left alone now as he did on the "fateful" night. He describes that he is not coping with the postponement very well and again, in his desire to be left alone, illustrates the continuity of self and life strategies regardless of the discontinuity of circumstances.

> Everything now -- everything is back. Everything and probably some boogey men with it. I might be trying to interpret beyond what it actually means -- but I'm feeling more withdrawn and wondering: "Why bother?" My reaction is to just withdraw.

In recalling the evening and talking to other people he is self-conscious when it comes to assigning responsibility to his wife for the escalating conflict. He does not want to sound like a "blamer" nor an "excuse-maker."

> I guess you become paranoid. You become paranoid about how you are perceived. In one sense there is a reluctance to talk to people about it because

> of the concern you're just going to be perceived as some -- uhh -- excuser, rationalizer, and liar in an attempt to push the blame on somebody else -- on your wife. It was her fault. -- [silence] -- When I think about it -- there's a sense of inevitability.

Prior to the trial, the accused is probed and prodded with questions from the " experts" and from his lawyer. Following the trial, he is left "alone" with the experience as it perpetuates in his mind -- as it is held and lost in his memory, and as subsequent circumstances to the event make their impressions and impacts. He wants to withdraw, to come to some conclusion, but he is haunted by his own questions that lead him to more unknowns. His thoughts find no slumber.

> Inevitability and nature means you are -- you have been created with all of these feelings -- with all of these intensities and with all of these strings and with all of these shortcomings including the apparent ability to lose control -- to kill somebody.
>
> I believe in fate when it's good but not when it's bad. I guess I'm prepared to accept fate for good things but fate for this kind of tragedy? -- And I suppose you say -- I think the Greeks would say -- that it applies to both.
>
> There is a sense of futility involved in this. A sense of inevitableness. It almost makes you believe that this is God's will. It almost makes you believe. I can see why people seize on that and that I mean. I think they **seize** [emphatically] on that because that is as good a god damn explanation as anything.
>
> I hate to do it, but you just say : "What the hell?" And that's when God's will becomes a handy crutch. God's will is a handy crutch. I've tried it Sheila, it doesn't work for me. The reason it doesn't work for me is that I view it as rationalization. I see it as a form of escaping --

Another circle within the circles, another irony upon irony . . . in his search for sleep he keeps himself awake, in his search for escape he locks his own doors. In his search to understand his "reality" he also searches for oblivion. He scrutinizes the text of the trial transcripts while he cuts out the pictures. In his effort to recall, he tries to erase the images on his mind.

It had struck me that the number of stab wounds reportedly inflicted on the victim correlated with the number of years the couple had been married. I shared this somewhat reluctantly with the accused but felt that I should disclose my finding as it had fascinated me. It was a question "pressing" itself. Apparently this correlation had not been made before. It clearly took him aback and continued to be in his on-going reflections. Another tie on the track. At the time that it was introduced in our dialogue the accused reconciled it as a coincidence that could be explained by the pathologist's procedure. However, characteristic of his knotted and tangled thought processes, the accused is not settled with this explanation and it starts to spin into a web of doubt and uncertainty.

I had pondered at the time, the possibility that outsiders, such as the pathologist, might have imposed their own biases and prior understandings into their "scientific" reports. That is, in the whole process of trying to achieve "objectivity," the "scientist's" history, experiences, and pre-conceived notions infiltrate procedures and methods, consciously and unconsciously, such that "reality" is made "to fit" expectations -- understanding is derived through the dialectics of the investigator and the investigated. In the many phases of spousal homicide and its aftermath, many personalities are involved each with its own horizon that becomes merged into the experience. For the accused, the correlation is a plaguing trigger in his struggle between confrontation and avoidance -- in his effort to understand the incomprehensible:

> That's into the -- that's into the -- that's into "never-never-land." Nobody had ever correlated those two and suggested that there was ever any meaning to it. That the stabbing was anything other than a frenzy. I've not seen the pictures. I've clipped them off of the appeal books that I have here. I've clipped them off and I've not looked at them. But I've read the description of the pathologist in the appeal book. They're spread out all over and to have correlated -- The mind is a strange thing but that's bordering on supernatural. Who's going to correlate it?
>
> But when you think of the bad then there's -- Your comment that the number of stab wounds correlated with the number of years married is crazy -- And yet it won't go away. Can the subconscious go that far? Can the subconscious do things like that? Is that what happened? Did all of the bad suddenly come out and is that how it was shown?
>
> There's another -- I think the date of the killing is the date that I proposed marriage. That's the part that can drive me to the point where I start to feel the biological -- of what I think is the biological depression. When I put all

> those -- when I start thinking -- How do you put them together? They are facts. It was that many years to the god damn day. I don't know how to think about those things. Other than it reminds me -- not to be dramatic -- but it reminds me of the three witches in Macbeth [illustrates stirring the pot with his hands]. -- The other thing is that you can say: "It is coincidence."

It is interesting that in the accused's struggle to understand he illustrates the hermeneutic perspective of the universality of man -- the agelessness of meaning as it is contained within the written word. For the accused, history and tradition are part of his experience and process in the aftermath. His education is evident in his analogies and references.

Shakespeare exemplifies the power of the poetic to capture man's being in this world. The meanings speak across time and contexts. Nearly four hundred years ago Shakespeare depicted the evil potential of man in his portrayal of the three witches -- whether the evil forces existed within man's mind or held a zone of power between man and the spiritual world. The repulsive forms and action of the witches in Macbeth are a symbol of the hostile powers that operate in nature. Their predictions, which they either themselves pronounce or allow their apparitions to deliver, have all the obscure brevity, the majestic solemnity, by which oracles have in all times contrived to inspire mortals with reverential awe.

The witches are an impersonation of those qualities which are antagonistic to all that is gentle and lovely, peaceful and good. They are loathsome embodiments of the "evil principle," and are the precursors, as well as the providers of all the stormy passions that shake the citadel of man. They represent the repulsive as well as the cruel propensities of man's nature; every one therefore who is a slave to his lower passions, is spell-bound by the "weird sisters;" and this was the moral that Shakespeare intended: for Macbeth was by nature an honorable and even generous man, but as he was unable to withstand the impulse of unworthy ambition, he rushed into that bottomless hell of torment -- a guilty and an upbraiding conscience. At this time and place in the accused's world, Shakespeare's images and words have new meaning for him.

He is forced to consider inevitability and the supernatural as the only explanations. Though he reaches these terminals, he reboards the train and keeps circling on his track. He seeks sanctuary in sleep. But sleep eludes him. It no longer symbolizes refuge. For sleep is the playground for the unconscious or subconscious mind to romp. Slumber has become a mind game filled with haunting mysteries and nightmares and no rules to be followed.

> There was a time when I wanted to know, Sheila. There was a time. There was a time when I wanted to know. I wanted to know. I wanted to know. I had to know. That's gone completely now. That's what the system does. I don't want to know. I don't want to know. I guess now I'm afraid of what -- of what the the truth may be. That my initial position may well be the right one: "I'm all bad. I did it." I didn't think that she would hit me. And everything else after that was all me.

In searching through the sleeping car, the accused admits that he is not sure that he really wants to know what happened. He claims that the effects of the system have stifled his need to know. His train keeps running on its circular track. It is not clear whether it is getting closer or further away.

The Dining Car: Being "Eaten Alive." We now enter the dining car. The diners could be anywhere having their meal. They are aware that they are dining on the accused's train but they are content to satisfy their own appetites -- preferring to be somewhat oblivious and indifferent to their surroundings. Watching them, the accused remembers his own life of success -- the choices and the accruements, the respect (begrudging as it may have been.) He once dined at the same tables. He views the diners in their fashion -- the judges, lawyers, and experts -- with satirical scorn: "Reign of Error," "The Persecutor," "The Bull in the Bullpen," "The Sacrificial Lamb," "Lucy from Peanuts," "Mickey Mouse," "Sugar-coated Horseshit " . . . as they continue to travel life's illusive journey in luxury and naive self-righteousness.

He now "waits" upon them -- "serving" the menu. A menu of "evidence" from which they can make their judgements. It contains both standard and experimental fare.

The accused has carefully prepared the menu: the factum for his appeal. He has used the best ingredients and techniques he could find. But he questions the utility. He finds that it is not the quality of the meal that matters but the willingness of the diners to taste and digest it. He observes their freedom of choice and selection. And watches as they settle for that which they know to be compatible with their appetites. He considers that they prefer not to be challenged by unique flavors and textures. Their taste buds are programmed. They have their fancies and know what "appeals." They avoid awakening unfamiliar sensations that might disrupt what he sees to be their "holier than thou" worldly demeanors. It is in the dining car that the accused describes his bitter taste of the justice being served and reveals his hurt and anger with respect to the legal judgement conferred upon him.

> It does shock me -- unless of course I'm completely wrong and nothing I ever did in my life is any good -- but I guess it does shock me that for somebody that led the life that I did in terms of perfectionism, integrity, honesty, et cetera -- to be shafted now. Yes, that part really, really hurts. If you say to me that there is nobody else in here that had a bad go or a bad deal,that is not the case. I'm not the only one in here with that. But I'm the only one in here who knows and understands what has happened or at least -- maybe not understands -- but who knows.

The accused struggles with trying to be objective with respect to his case by reading and analyzing the court transcripts. He has assumed the stance of judge, both in regard to the argument of his case and also in regards to the competency of the judge, prosecutor, and expert witnesses. The accused's fore-understanding of the criminal justice system prior to his role as defendant contradicts his lived experience. His earlier belief that proving guilt is the premise upon which justice stands -- has been replaced by the feeling that one is guilty regardless of evidence to the contrary.

> You are guilty even if you prove yourself innocent. In this trial there was an onus on the Crown to prove beyond a reasonable doubt -- but in reality the onus is on the defense to disprove.

> I vacillate a lot. It's funny I always thought that just to get the appeal over with would help and now that the day is set, the waiting is becoming interminable. I feel a turmoil. I vacillate between what my intelligence tells me is a good legal case and my fear of my ability to get a fair hearing. My intellectual ability tells me that I did not have the intent and there is no evidence that I did. Not only did the Crown not prove the necessary intent, but the defense disproved it and it is not incumbent on the defense to do so. Things are so obvious that in a sense they scare me even more.
>
> There's no desire for truth. There's no concern about truth. All they want is to find something upon which to base the conviction. You look carefully enough into anything and you can find a basis. It's a tenable basis, but again, how tenable is it?
>
> I'm not recruiting people to gain sympathy. How can I? Look what I have done. But I'm asking for a fair break. I am fighting. That isn't completely gone -- now that I have the appeal. And I am getting stronger. That comes back. And when that comes back it is: "You can't let idiots like the judge, prosecutor and center stage star expert witnesses railroad you." That's my assessment.

The accused views the appeal as an opportunity for the justice system to redeem itself but he is cautious in his hope, suspicious of the contaminants in the system. He is trying to stop his own shifting sands. He is trying to find solid ground. But he worries that, as "nobody paid attention" at the trial, attentions may continue to be diverted and misplaced at the appeal.

> At trial it is constantly shifting sands, like at the ocean. But at appeal, all of that is cast in black and white. And things cannot be changed. Everything is done. There's no longer any such statements as typically appear in argument at the end of the trial: "I think he said or my memory is that --" Now you just go and look. And there it is. You find that statement that nobody paid attention to during the trial.
>
> I didn't think that there was anything in those transcripts that was the basis upon which the judgement [second degree murder] was made and I didn't think that the decision could be upheld on appeal. I got them and read them and to me it's just become crystal clear that there is no way --
>
> I am sure that if it were anybody else's appeal it would be a sure winner but because it's me -- it may not have a hope in hell.

Where once he felt high regard, he now feels dismissal and rejection, in his words: "contempt, hatred, and revulsion." He has used his mind, his knowledge and his skills to defend himself by preparing and working on his factum. He assesses that it is not the argument that presents the challenge, but rather, it is the "hearing" of the argument. He senses that he is not being listened to. He is being "railroaded" by the justice system by which he has lived his life. Even so, the appeal is the source of his on-going energy. It is all that he sees to be left on his plate.

> If I was convinced that this appeal was going to be decided on by what's in the appeal book and factum -- I'd just say we've got it made. That's what I would tell you. But I'm not. And that of itself is a pretty sad comment. This is where I'm always back to square one. The evidence on the appeal is exactly the evidence upon which I was convicted. And essentially the arguments are the same. They're more sophisticated. They're more detailed. They're more thorough. But there's nothing new. Nothing is changed.
>
> It's the on-going fear that I won't be tried on the basis of what's in the factum. Essentially the same thing. It's the fear between my knowledge of those things contained in the factum as opposed to my knowledge of the system and how it can be manipulated deliberately or through ignorance.

The accused spends all of his time thinking about and working on the menu -- his appeal -- which he worries is a waste of time anyway.

> That's what makes it so tough. It's a waiting game. Who is more aware of the imperfections -- notice what I say -- not the abuse -- the imperfections in the system than I am. It is not the imperfections that I am concerned about. Unless something in the prosecutor's factum changes my opinion -- from what I've handled to this point -- that is the transcripts and the defense's factum -- they should get over the imperfections. It's now the judges -- "the holier than thou." They never did love me. The most that I got was begrudging respect for my professional and financial success. So now my concern is if they are man enough or woman enough to overlook or disabuse their minds of the biases that don't endear me to them but that are not part of the legal case.

News that is read or heard is related to his own world of experience. The world is a courtroom -- the judges judge the accuseds -- the accused judges the judges.

> When I watch judges reducing sentences because a three year old is sexually aggressive -- I wonder how can these kind of people determine other people's lives and how the hell can you rely on them?

Our understanding is influenced by our culture. Messages from the media, including dramatic portrayals of murder and murder trials, seep into the accused's process. The accused reveals that he too has been influenced by television versions of defense and justice.

> The other thing is -- I don't know what the hell -- maybe this is too many detective movies but I understand you need a motive. What's my motive? Nobody has ever suggested that I have a motive.

In the aftermath (and it would seem even before the event) part of the experience for the accused is being vulnerable in every way to other people's judgements. Feeling dependent upon others with respect to their opinion and assessment of him. The effort to analyze the deliberateness of his own action as his "judges" do, has been a significant aspect of the accused's experience in the aftermath. This preoccupation would seem to infiltrate many of his perceptions and analyses of the past, present and future. As he assesses himself in this manner, he assesses others who were and are significant to his "being-in-the-world." As part of his self-defense, he adopts his own stance of judge, ironically, an aspiration he once held in his "innocence." He judges others: assessing motives -- intent or lack of, competency or incompetency. It is in the dining car that his judgements of the court and institutional players -- allies and adversaries, insiders and outsiders, observers and participants -- are offered. The accused has described what he sees to be a locked case for his appeal. His confidence in the outcome however clearly fluctuates throughout. His lack of confidence he relates to the motives, intent and competency of the players in the court system.

> And so it's down to this: If they judge me as what I was, I haven't got a hope in hell. If they judge me on the basis of law -- judge me on the basis of what was in those appeal books -- then there would be no shred of doubt it should be successful. No. There is no doubt. But one thing that I have learned in almost two years that I have been incarcerated is the failings of the system --

In reviewing, the accused looks back at the times something might have impacted or someone might have intervened such that the course of events might have been changed.

The accused views the role of the justice system in the earlier weapons incident as filled with hypocrisy and missed opportunities for constructive intervention.

> Thinking about the function that the law can play in this and particularly addressing those in the weapons charge incident. If the prosecutor, instead of persecuting all of us had said: "You people are crazy. You need help. Maybe you don't understand what you're doing to each other. This is what you have to do." -- None of this would have happened. But the simplistic little bastards who act as prosecutors either don't know or don't understand. They seem to think that this makes them greater and better persons -- gloating over the fact that they have somebody that they can punish -- somebody like me. But somebody like me doesn't do the kinds of things that I did on that weapons charge unless there's something wrong. If they had realized that someone like me, and maybe I should have realized it too, but I'm seeing it from an inside view. Somebody out there should have seen it from the outside. There we were tortured mercilessly, and for nothing. If anything it hastened -- it precipitated the killing. Instead of being told something is crazy here -- I was told that I was bad. That I was a failure. That I was a disgrace. That I had dishonored everything that I stood for. I was convicted and I was hounded mercilessly for that weapons conviction by my wife. The idea that just a mere prohibition on drinking is going to do anything -- who the hell are they kidding? It's a facade. If they believe that -- they need an education. If they don't believe it, as I think they don't, then why in the hell are they standing there and perpetuating the myth which is adding and is guaranteeing that there will be a bigger problem rather than trying to deal with it?

He recalls the impact of the injustice of the justice system upon his family in the earlier weapons charge.

> There was a shift in the whole family's view of the justice system and the courts. There couldn't be anybody who had anything to do with that situation who could conclude that there was any justice involved. There was just the desire to punish. Now think of the irony -- as I see it now -- I didn't see it at the time, but that was my desperate cry for help and instead of getting help I got shit on. Think of that. Talk to me about that. Talk to me about justice. About the prosecutors. It is the criminal system that's at the whim of those idiots. I can't blame them. I can't blame them for their vindictiveness and their desire to get me. I can't blame them because they didn't recognize what I myself couldn't recognize. But that it should have been in the hands of competent intelligent people -- that should have been the start of change -- instead it was the beginning of the decline.

He views that the opportunity for positive intervention was missed by the courts and in fact the court's attitude contributed to the escalating conflicts within the marriage. Again this observation is qualified with self-recrimination but contains the bitterness and "if-onlys" that plague the accused. We prefer to hold onto myths though they may contradict our experience. The accused sees this in the justice system as he can perhaps also see it in himself.

> The myth is that prosecuting somebody accomplishes something of itself. I'm not seeking immunity. No. But to suggest that prosecuting somebody accomplishes something and treating the activity as a quote "criminal" close quote activity in isolation of everything else -- And thinking that the punishment, whatever the hell it may be, will resolve it without recognizing the reason for the aberrant behavior -- Not acknowledging that it is aberrant and that it is obviously indicative of something when they are not dealing with their stereo-type criminal -- they are not only harmful -- they are, in one sense, the ones who have caused what the hell has happened. My wife had one more important element in her armory to use against me and against herself after that experience with the legal system.

If the incident had been regarded as a signal for help, that something was amiss rather than being treated as "criminal," the accused believes he could have taken responsibility and sought appropriate treatment.

> I can't believe that we wouldn't have understood and once I understand I've always operated with a strength that is necessary. Despite all my aversions -- it's not aversion when the handwriting is on the wall. I would have agreed to hospitalization to dry out and to have some sort of medical and chemical treatment for depression.

With this analysis, the accused would still be on the "outside." And life goes on -- on the outside. The life he once led and took for granted. The accused looks at the diners and begins by describing the judge. The judge continues to wine and dine in style.

> Nothing my lawyer nor the prosecutor has done or not done could have changed things. It's the judge. This is total judge's conviction. If I thought we had been out-lawyered then I don't know what my reaction would be. But I want you to know that we have not been out-lawyered. We've been out-judged. And there's no protection against that. It wasn't anything the prosecutor did or my lawyer did. It was what the judge did. So what the hell do you do about that?
>
> I don't want to sound as if I'm persecuted but I've been dealt with by an incompetent -- this is the travesty of it -- who gave me a proper hearing but not a fair trial. I mean little things that now come out from studying the transcripts. This is a man who is ready to give judgement after a nine day trial that has wiped out everybody else. Ready to give judgement right at the conclusion

> of argument. That then means that he has prepared his reasons at least the day before. What's the significance of the evening before? What's the significance of that? He didn't hear the cross-examination of the Crown's psychiatric witness with all its inconsistencies. And that's the kind of thing we're talking about. We're talking about a judge who not only does not give his reasons, but does not because of the time. That then means that he's got them written and he's not likely to change them. He then adjourns to nine o'clock tomorrow morning. *OK. Not ten o'clock.* He wanted and he's ready to just get it over with. Half an hour later he's partying at the mid-winter meeting of the Bar association.
>
> How much could the judge care if he's out socializing after pronouncing the judgement? The other thing that has occurred to me is the reason that he's convicted me is that he's an alcoholic. Just like I am.

The accused's ideal belief that judgement is arrived at through weighing the presented evidence has been replaced with a sense that judgement comes through whim, bias, and pre-formed conclusions. A man's life is in the hands of a judge, however competent or incompetent -- wise or ignorant, the judge may be. Images of himself in his own self-judgment? We are all part of the human be-ing.

He wonders what pre-conceived ideas the judge had or where their lives may have overlapped in the past. He speculates what may have caused the judge to be biased against him. The unknowns, the uncontrollable variables that haunt and preoccupy.

> My mother says that she got a sixth sense when she watched him [the judge] watch me testify. Apparently he seized on me all the time -- just the way that he was watching me. And she noticed that she had a bad feeling at that point.
>
> I don't understand the judge and his judgement. He has to have some god damn plan. The plan is either to duck the issue because it's too high profile a case for him to decide or it was to convict me because that was his -- for whatever reason -- his extraneous conclusion. It wasn't his conclusion on what was presented to him in the courtroom.
>
> How the hell do I know that I haven't criticized his buddies. How do I know that I haven't failed his nephew or his niece? I don't know any of these things. How do I know that he's just not envious because I was extremely successful? How do I know? Something got to him. What it was --?

The accused is caught in his vicious circle of cause and effect trying to assess the motives of the judge and analyze these for an understanding of the outcome of his trial.

> He's just incompetent. There's no way that anybody who has read that evidence -- this is why I'm so interested as to what is in the prosecutor's factum -- there's no way that anybody who has read that evidence and even taken a stab at analyzing it, can convict in my opinion.
>
> I don't know if the trial judge was just incompetent or whether he thinks that this was some grand design -- and, you know, if a person has this gut feeling that *it* was some grand plan then they'll ignore the evidence. But you just can't have planned this. I don't think there's any human being who could have. And, except for the Crown's psychiatrist, we're not dealing with buffoons. So, I don't know whether he's just incompetent or whether he is perverse. That's the only other word that I can think of -- perverse -- to ignore the evidence in order to come to the desired conclusion that is formed from some other places wherever they may be.
>
> I still don't understand whether the judge did it deliberately or out of ignorance. I shift back and forth on that.

The accused judges his Judge. He reduces the court's judgement down to a course assignment.

> The quality of that initial judgement is such that if it had been handed in to me by a student as an assignment I would have failed it.

Again, the accused's train runs on its circular track as he entertains possible meanings of the initial judgement.

> You think I haven't agonized over that? What the initial judgement means? God only knows what motivated the judge in his initial judgement. I have suggested that he was "ducking" because he didn't want the responsibility of finding somebody such as me guilty only of manslaughter. That would be the thinking: "You should kill the bastard." And I wish that he had. If I am a murderer I wish he had. I wish that he would have the courage of his "convictions." I do.
>
> An alternative interpretation, because of the way the judgement is written, is that it is an attempt by him to cover all bases. Either way, I can only come to one conclusion. He's an ass. A completely stupid, incompetent ass. You wonder what happens to his "reign of error." There's nobody around to challenge him.

He tries to stop the train by concluding that regardless, of what may lie behind the judgement, ultimately the final judgement of the judge is that he is incompetent.

The tunnels and circles of questions that arise in the accused's mind in the aftermath are echoes of and echoed by the never-ending, probing, prodding and questioning of the systems to which he has become exposed. He gives focus to the prosecutor.

> The prosecutor's an idiot. I hate to say this. It sounds presumptuous. But as I was reading the transcript, I read the manner in which he examines. He's an idiot. We weren't out-lawyered.
>
> We're dealing with people who put you through an extremely excruciating, painstaking cross-examination. And it may sound strange to you but the cross examinations that I was put through in the hospital -- and they were innumerable. In comparison, the prosecutor's is peanuts. He sounds shocked that I don't remember what I've said. My God, I have no idea what I have said to whom and when. He seems shocked by that. I'm supposed to remember? Functioning as a zombie?
>
> Can this demonstrate the prosecutor's legal skills to get a conviction for murder here? Who's he kidding? Everything has been given to him all through the trial, even the opportunity to examine me under oath. That was an opportunity. He chose not to take it. But it was offered to him. He had a year to prepare. He's known what my testimony is going to be for a year. Where the hell is the skill involved in that?

He assesses the morals of the prosecutor. This assessment is interesting in its parallel to the assessment he feels was made of him by the prosecutor.

> I guess the anger that I have which is not very great, believe me when I tell you that -- is towards the prosecutor. He's been acting as a "persecutor." During the first bail application, the prosecutor showed his hatred and condemnation. He accused me of being a Thatcher, a boxed bomb and detonator. These were all the expressions that he was throwing in the courtroom.
>
> And I can't help but believe, and I've no proof of this, and there never will be unfortunately -- that he is the one who changed his star psychiatrist's mind from the letter he [the psychiatrist] initially wrote to the court, to the testimony that he [the psychiatrist] gave in the courtroom. Obviously the prosecutor couldn't control what his expert said in cross-examination. The unthinkable morals of the son of a bitch who has just offered his psychiatric witness up as a "sacrificial lamb." If anybody was paying any attention, the Crown's psychiatrist should have been eaten alive -- destroyed as a witness.

Life was and is a trial for the accused. And the accused's life has been put on trial. The accused sees the prosecutor as playing a game. The trial is the prosecutor's game. The prosecutor's game is the accused's life.

> This isn't a game they are playing. This is my life. To listen to the prosecutor there was never any love in our family. And that isn't so. But then again there's a bastard. There's my anger. There's a bastard purporting to be there on my wife's behalf when it is obvious that he doesn't care about her at all. [slowly whispering] He doesn't care about her at all. And he's the goddamn hero. And he thrives on quote "righteousness" close quote. If I thought he really cared about the fact that she is dead because of my acts I'd be a lot more sympathetic to him. But I know that's not the case. Her death isn't an end to him, her death is a means to him. If he was truly concerned about her he couldn't make the comments that he does about her. You can make comments about me. How can I ask for anything? I can't expect and I don't. But I knew he was going to reduce her to another animal. He's got two animals living together. That's why I didn't want a trial. Why put those children through a trial for nothing?
>
> If someone had asked me "Do you think that you were too drunk that you were incapable of forming the intent?" I would have answered him "No". "Well, what is it that you think?" Well then we go back to what you and I have been -- But the prosecutor's not going to give me that opportunity. He's not going to give me that opportunity. It's not broached -- the game. It's part of the game. And here it is my life.

From the accused's vantage, the trial is the stage for the prosecutor to perform. The prosecutor dramatizes his role, it seems to him, by throwing fuel on the flames that are inextinguishable and are in themselves fueling the accused's experience in the aftermath. The accused's wife's death is not an end to the prosecutor but a means and a platform to bring stardom to his performance.

> You want to know what really bothers me? It is that the prosecutor has portrayed my wife and me like two animals. To him there was no love in that house. There was nothing. I mean if that was true then how come somebody didn't kill somebody years ago? A terrible thing has happened -- and this son of a bitch is sitting there and throwing fuel on the flames. That bothers me. Yep, that bothers me. I don't think he needs to do that. To do this show. I think he gets a pleasure and a satisfaction which borders on mental instability and problems on his part. He's just an insecure little prick -- plain and simple -- who's in a position to screw people. And that's what he's doing. What a system!

He feels that court judgements are made outside of legal arguments, according to the preconceived opinions of the courtroom players. Prestige and status elevated him on the outside, but reduce him on the inside. He goes on to state that because he has shown his abilities professionally he is assessed as guilty. From his perspective it is a simplistic argument presented by the prosecutor.

> "Why is he guilty? Because he did it." It's as simplistic as that. The prosecutor doesn't analyze anything else. There is no understanding of anything let alone of how a person such as myself could have done something like that. And he doesn't care. How could I have done it? People like me in my opinion don't do things like that. There are so many things I am capable of doing, Sheila, but that isn't one of them. Not to kill somebody savagely. The prosecutor doesn't give a damn about that. He thinks it's irrelevant or he is deliberately ignoring it. If he looks into the "why" I could do something such as this, then I think he is in trouble. He's in trouble with the simplicity of his case so he stays away from it: "He did it therefore he intended it."

It is noteworthy that the charge of manslaughter rarely, if ever, becomes translated beyond the action to a person. Murder, an action, however, frequently gets translated into the person: murderer. The accused's feels that his being-in-this-world has been reduced to a single action in the eyes of the prosecutor, his being to a single label: "murderer." His view of the prosecutor is of a man who reduces the accused to this label in his desire to win -- to be a "star." In so doing, the prosecutor represents for the accused, the apathy, insensitivity and indifference of the prosecutorial and overall justice system.

The accused is not going to let his train get "railroaded." Railroaded means to rush through quickly, especially so quickly as to prevent careful consideration. It also means to cause to go to prison on a trumped up charge or with too hasty a trial. The accused's perception of being "railroaded" by the courts provides more fuel for his train. His strength for keeping up the struggle and fight would seem to derive from the anger he feels towards his court adversaries. His agreement to engage in battle rather than to withdraw by pleading guilty signifies his need to win. That's where he gets his drive to keep going. He wants to win. Everything is at stake. He is living on the edge. Is there a parallel to the battle in the bedroom: if he can't withdraw to bed, he can't let his opponent win?

> It is not the contents of the factum, the argument set forth but rather that he's betting that the courts will convict me the same way that he did. The factum is a pile of garbage -- either he's an incompetent or he's given up and I don't think he has given up.
>
> He's going to quibble with the facts, the inferences to be drawn from them which is going to make it a difficult time. He is skirting. That's the kind of lawyer that he is -- just like two ships passing in the night [uses hands to demonstrate how the ships miss each other]. Each aiming their guns in opposite directions. He's going to rehash his position at trial. His position at trial was that if I wasn't drunk I had the capacity and he's going to spend a lot of time on drunkenness. And of course that's just one of the five factors. That's why I said -- he's just shooting up over there. Hopefully the court of appeal will have no difficulty pointing that out because all of this is wonderful except that it is irrelevant. That's exactly the kind of factum I anticipated. I hate to say that but this is not a good lawyer.

In the accused's view the prosecution's psychiatric witness gets a meal ticket to satisfy an appetite for theater and recreation through his court appearances.

> Unless you know what this man [the psychiatrist] does -- his presence. He is theater for God's sake. He lives it. That's the word around the hospital. He doesn't like it there. He'd rather be out flying all over the place testifying. This is his diversion. This is his recreation. He doesn't care.

The accused's custom of reading the newspaper, one activity representing continuity in his life before and after the event, is now pursued from a transformed horizon. Now the newspaper can affirm his own experience of an uncaring justice system. He reads with interest the on-going involvement of the crown's psychiatrist on the courtroom stage in other cases.

> I read the newspaper. We get it here. It's late but I read it religiously as I did before and to these things now I pay more attention than I did before. This psychiatrist is the Crown's big stopper. They bring him out of the bull pen all of the time. In many cases it doesn't matter but when the case comes along where it does matter --
>
> Recently in the paper, an individual was charged with attempted murder and was acquitted on the basis of automatism. The thing there was that the opinion

> of the Crown's psychiatrist was rejected -- the same psychiatrist -- the center star expert -- that in my case kept changing his opinions all the way along.

The accused is bitter respecting the lack of insight, understanding and integrity of the Crown's "star" psychiatrist who suggested that the accused was capable of forming intent although the accused points out that this was contradicted in his written correspondence and in cross-examination. As the accused's self-assessment fluctuates, he tracks a parallel in the experts.

> When you ask what is his opinion, you have to ask what day? The opinion that he expresses in his first letter is one that I can live with. I'd be a liar if I didn't tell you that I prefer the defense's psychiatrist's opinion because he talks about no capacity whereas the Crown's psychiatrist's opinion is: "You've got capacity but you didn't intend to do it. "What difference does it make? It makes a big difference but I can live with that opinion. But then he gets on the stand and is totally contradictory. And if any judge were at all aware of what was going on he would have to ask: "Mr. Prosecutor, what the hell are you doing?" Not only does he not do anything like that, he presumably accepts the evidence offered by the Crown's witness when examined by the Crown despite the fact that it was contradicted in cross-examination by the Defense and despite the fact that it was contradicted in his letter.
>
> First he testified that I had the necessary intent and he was of the opinion that I was feigning amnesia. This opinion was formed after he sees me once in the hospital and he doesn't write this anywhere. His first opinion, written to the prosecutor, was that I had the capacity but I did not intend to kill my wife. His other opinion, which came later, was not written but was pieced together from the hospital files and had been told to me by one of the nurses. She said: "What are you going to do? The psychiatrist thinks you had the necessary intent." So the first opinion that is in writing says three times that I did not intend to kill her. Then he gets on the stand and reverses that. Then in cross-examination he reverses himself again --
>
> God only knows what this man's opinion is. My lawyer says that he was honest in his letter. I have some trouble believing that, unless he's just so god damn incompetent. I don't know what he's doing I think that he was intimidated when he wrote the letter and he sees that he's leading the show so then he responds. To put it to you bluntly: my lawyer made him lie on the stand rather than show his incompetence. He was afraid that if he started to get into a discussion say about the "spousal homicide syndrome" that my lawyer would kick his ass all around the courtroom. And so guess what he chooses to do? To say that he agrees with the spousal homicide syndrome explanation. He's not going to say that he doesn't understand it. As a player in the game -- that's great. It just happens that my life is at stake in this game.
>
> If the judge even recognizes the inconsistency he certainly never mentions it. He doesn't mention any of the experts. These people testified for over three days and it is as if they never existed.

The Crown's psychiatric witness was the primary physician at the hospital where the accused was remanded prior to his trial. The accused remembers his attitude in the hospital and how it contradicts the view offered by the "expert."

> The Crown's psychiatrist describes me as willing to talk to everyone. I answered all the questions that were put to me. I was willing to assist. I was co-operative. He says enthusiastic. I would not have described myself as enthusiastic because I was too depressed. The orderly describes me as pathetic. I think that's more accurate. But how can you describe me that way and then say that the man knows but doesn't want to talk about it? That's his reason for saying feigned amnesia. He seems to think -- as I think many uneducated people in every area do -- that once you've said what you're opinion is then that's the end of the matter. I've always lived in circumstances where once you've said what your opinion is -- that's the beginning of the whole battle. It is now to explain. His reasoning is contrite and inaccurate factually. That I was not willing to talk. I was. And he so admits. So how the hell can you base a psychiatric opinion -- a psychiatric conclusion on something such as that? I could understand that a person is so upset, so traumatized that he or she is unable to discuss. The nurse's notes about me said: "He's still concerned about lack of memory with respect to the incident" and the word is: "still concerned."

His memory of himself in hospital better conforms to descriptions made by those who are the "understudies," but who only stand in the wings. Overall, he views the hospital system and the treatment he received with disdain -- easily preying on the patients' vulnerabilities.

> When I was in the hospital I was very vulnerable. I wondered if I had perceived anything correctly. I was very susceptible to suggestions -- the text book nursing from the people at the hospital. Some of whom were good and helped me to survive, but some of whom were pretty petty -- anti-psychiatry. "Lucy" could have done a better job.
>
> The people there interpret and though you can try to be -- you can't be immune. They plant seeds in your thinking. They are capable of helping you but most of them are capable of destroying you by some of the text book interpretations they offer. As able as one is and as knowledgeable as one thinks one is about oneself -- their ideas still do slip by and harp on you.

With the accused's conviction on the earlier weapons charge, the court ordered the accused and his wife to attend marital counselling. The accused offers his judgement on the family therapist who thus became involved.

> His treatment was complete Mickey Mouse. Complete poppycock, pablum --
>
> I needed somebody I could respect and who would be assertive enough to not let me debate my way out -- that's where the family therapist just failed. He couldn't even debate with my wife. I don't mean to put her down and I'm not. She had learned over the years. But he should have at least been able to debate with her.
>
> Even his analysis of the background and everything else. You talk about self-fulfilled diagnoses. He's got his own predilections and then he views them and says "Oh Ho!"
>
> One of the other things that does annoy me is that the family therapist has me diagnosed as depressed but doesn't tell me. OK? Doesn't tell me. What it means is I've been dead since the weapons incident. Had that incident been treated properly there would never have been this incident. He's told by my wife's doctor that she is depressed. That was two years before this incident. This is in his information. What the hell kind of a family therapist is that? If they had told me that I was depressed and what depression was -- do they think that I would have continued? Where was he at? Was he sparing me from myself? Was he? Did he think he could treat my depression? If they had told me then that I was depressed -- that this was a clinical thing -- I would have signed myself in.
>
> If the therapist had said to me: "You are clinically depressed." I would have said: "That's wrong. No. No. I'm not." But if he had given me the books to read that I have since been given to read including the elements in one's background that set the stage for depression --
>
> I was so bombed out on the anti-depressant that I was a zombie but I was given a little booklet in the Remand Centre on depression. I read that and there's my answer. So if you can tell me that if the therapist had given me that book back then, that I would not have known what to do? If somebody had just taken me aside and not given me sugar coated horse shit. AA was sugar-coated candy. Religion is exactly the same thing. I wasn't dealing with anyone that could have given me something that I would trust and respect. I just didn't think that the therapist was competent at what he was doing. To me the verification is the fact that he kept something like that from me. He knew my wife was depressed. He never told me that. He tried to excuse her behavior. This is what I couldn't understand and why I wondered: "Why am I so crazy? Why are we sitting here?" If you had said to me she was depressed I would have understood why her behavior was the way that it was -- once I understood what depression was.

The accused believes he could have reacted to information offered to him by sources that he could trust wherein he would have taken responsibility and submitted to appropriate treatment. The accused feels the therapist that he and his wife consulted at the court's request did not understand the problem nor the personalties and make-up of his clients who were experiencing the problem. He views the therapist as providing therapy according to pre-conceived notions and format diagnoses which he failed to articulate and make clear; and certainly did not defend in "debate." The accused resents that his cast of judges took it upon themselves to judge the appropriateness of conveying pertinent information to him. With twenty-twenty hindsight, the opinion of the accused is that no lights were brought forward to illuminate the track he was travelling by those who might have made a difference, such as the therapist.

> He had the information and his own assessment of me. Keeping that information from me -- I don't understand. If I wanted to blame somebody -- I'd blame him.

The accused believes that had he been informed and medically treated for depression things may be different. The effectiveness of the medication prescribed after the incident at the hospital convinces him of the possibility that he would have responded to treatment prior to the incident.

He circles in his argument respecting his potential understanding of his problem and his receptiveness to treatment. The argument relates to his circles of "if-only" and the need to attribute blame.

> If it's chemical -- which it clearly was -- I could have accepted that before. When I was sent to the hospital and told that there was a chemical imbalance, I didn't understand that. But if somebody had said these things to me then: "This is what you have to do." I can't believe that there wasn't a psychiatrist or doctor that I would not have respected enough to do that. If they had just given me the book they wouldn't have had to do a hell of a lot more. My own ability would have taken over and probably with a great sigh of relief.
>
> For whatever reason, whether it's a case of benign neglect from incompetence -- which is just rampant through this god damn system -- or whether it's deliberate because of misguided motives. Maybe even gentle ones. But still misguided. They won't tell you these things. I sat there like a zombie anyhow. I've come along way the last while. I've gotten stronger since then.

He judges his co-workers as being incapable of intervening. He acknowledges that he did not confide in them with respect to his personal affairs. He views them as either insensitive, lacking in perceptiveness, or sharing similar problems.

> They're incompetents when it comes to these things plus the fact that I never let them know. I deliberately did not let them know. It would have taken extremely skilled intervention. Anyhow they're not able to do that -- most of them have exactly the same problems.

This is just one meal for the court. For the accused this is his life. The accused reveals feelings of warmth towards his advocates. In this feeling is a mixture of humility as well as an implication that he has good capacity for assessing quality of character and judgement. The accused identifies with and projects himself into his "allies," revealing his caring and appreciation. He refers to his lawyer as over-committed, investing too much of himself into a system that does not abide by its principles. Often in the conversation, the accused refers to "we" when he speaks of his lawyer's performance on his behalf. The all-consuming investment he made himself in his own career he compares to that of his lawyer and projects his concern. . . .

> There is nothing more that we could have done -- notice I say "we." It wasn't anything that my lawyer did or didn't do that brought the conviction. He left a lot of himself in that courtroom.
>
> I think my lawyer wants to believe more in the system. I worry about him to tell you the truth. I think he is over-committed. I think he is burning the candle at both ends. I think he is walking a tightrope just like I am. -- [long pause] -- Probably his idealism in the case can hurt him more than my pragmatism. Because my pragmatism tells me that if you go up before an asshole and he treats you as such its par for the course. My lawyer thinks that people will behave properly -- but -- I think it takes more out of you -- my lawyer left a lot of himself in the courtroom. I know that -- [whispers] -- cause I do the same thing in my work -- [silence] --

The accused judges his advocates favorably and he found an advocate in the psychiatrist for the defense:

> The psychiatrist for the defense supported my application for bail. His staff told me that he had never recommended another person charged with my -- [pause] -- charged with -- murder be granted bail.

He recalls his experience in the psychiatric facility where he encountered the psychiatrist for the defense and makes contrasts to the facility where the Crown's psychiatrist works:

> There [the facility employing the defense's psychiatrist] everybody is qualified and is competent. Even the lowest common denominator would virtually surpass ninety-five percent of the staff at the other hospital. They never used anyone except the nurses. That in itself is meaningless. It's the people. But that's an indication of the level at which they attempted to operate. They didn't use any psychiatric aids -- they just used psychiatric nurses. It's not the fact that they are psychiatric nurses but rather how good he or she is. Generally they had very good people so you would receive good counselling from virtually everybody. The social worker who worked with me seemed to be able to push the right buttons and to get me to organize.

In the aftermath the accused has been exposed to a variety of environments with their custodians and staff. He offers his judgement on those.

> Compared to the Remand Centre, being here is Heaven. And it is a better environment than the hospital. If you're not well, the hospital is the only environment. But right now, putting it bluntly, they'd drive me crazy. You have much more freedom here. You wouldn't in a maximum security. I can survive here. If I can make peace with myself -- I can survive. I can do positive things. The case management officer that I have is a very competent person. One of the problems in here is to find competent people. But she is and she will do things for me. She knows the special problems and is prepared. The rest of them just don't give a damn. I call it benign neglect. It's not deliberate. They're just not going to do anything. But she is and she has already gone to the warden to get certain things accomplished. She gives me projects that I do for her through the library. So that I can survive. If I can make peace with myself. The environment here is liveable, not enjoyable, but it is tolerable. It's not like the pictures you see of the max.

His experience of the prison system is from a background of naivety. He had known this world through television and now he lives there -- "never-never-land." He looks at the staff.

> That's the main thing that I know about the max. One of the key things here is that ninety per cent of the guards and staff are fine. Ten percent of them are sick. I'm gathering this from the conversations with people in here. That, and from my own experience in the Remand Centre. In the maximum it's the reverse. Ninety percent of the staff are mentally ill and only ten percent can be called sane. Ninety percent of them couldn't find employment anywhere else. Never.

Ironically, he resents himself being categorized and views himself as more complex than others. The accused views his participation in our conversation as a reflection of his strength.

> People keep telling me I still haven't gone through the grieving process but they haven't told me what the hell it is that I haven't gone through or how it is that I go about it. If going through the grieving process is the ability to talk about it then obviously I'm going through it and I've made considerable progress. People have fixed ideas about what one should do. There's no attempt to understand: "How the hell does this person really fit?" And again, at the risk of sounding presumptuous, I don't fit the normal god damn categories. I don't know if that's good, bad or what the hell, but I don't fit them. If nothing else, I've got to be a hell of a lot more complex than those they usually deal with in here. I can flatter myself and say: "I'm a hell of a lot more able than people they deal with including themselves."

He looks at those with whom he shares his meals now. His judgements of the people in his environment include fellow inmates. He has found a few other inmates he can talk to but otherwise he can find no "peers." He distinguishes himself from others he believes are more fitting to the prison environment.

> There's only about two or three [other inmates] that you can have any hopes of communicating with. There are others here who on quote "good days" unquote you can communicate with but their unpredictability and instability is such -- That's the nature of the beast. They can suppress it for a little while but you can watch the phoniness and then a short while later the true nature comes out. They're playing games all the time. All the time. You've got to appreciate the level that you're dealing with. Nobody watches the news in here. I've got my own TV but for the first three or four weeks --. They watch cartoons on Saturday. That's what they watch. Cartoons, wrestling -- anything on "Super Channel." It doesn't have to be good but if it's on "Super Channel" -- if it's a movie -- then it's desirable. So you're not going to get very far communicating.

Though he vaguely refers to two or three other inmates with whom he can converse, as in the past he has narrowed his relations. It would seem that in his current world, he only finds one in whom he selectively confides.

> But there's an inmate who was a school teacher. He got out of that to make his fortune in real estate but was hit with the 1982 recession and was going to rebound from that by selling heroin and was fingered in a line of disposition for several hundred dollars worth of heroin and received ten years. Then while

> he was in the Remand Centre -- he wasn't entrapped but it certainly was facilitation. He came up with this scheme with one of the inmates whereby the one inmate would import the heroin and the other inmate would take the dive. Listening to him, it's insane. But the one inmate would take the dive because he would turn the other one in and by doing that he would reduce his sentence. Of course the other prisoner was an informer so the teacher got another fifteen years. He's got twenty-five years. But he's intelligent. He's interested in news. The school teacher and I spend basically all of our time together though they control you to the point that you don't have that much free time because you're regimented. I'll give you an example. The first time that I get to see him is at lunch because he works as a cleaner in the unit and he can't get out. I work at the library so therefore I have to be there. He has to be back at the unit at one o'clock and I have to be back at the library at one o'clock, then the next time that I see him is at dinner. After dinner we usually walk together, talk -- argue -- cause our philosophies are different.

They meet at the blind crossroad where their tracks have crossed sharing "intelligence" but also frustration and disappointment with others and with themselves As the school teacher shared the "folly and set-up" of his circumstances with the accused, the accused shares news of the delayed appeal with the school teacher.

> Perhaps the significant thing is that he understands why I'm feeling the way that I am. That's all. That's about the benefit.

The accused's world is understood from his current context. The circles of his tracks bring reflections upon reflections. Others become mirrors of himself, and his imaginings contain images of past, present, and future interwoven. He has felt his powerlessness in past relationships and he feels his powerlessness now in relationship to the justice system.

In a state of weakness the accused met with his power to hold and let go of a life by his own hands. He has been exposed in this capacity -- in the eyes of others and in the eyes of himself. He has been judged a murderer, sentenced, and incarcerated with others, some of whom have histories of violence. In his humiliation and self-consciousness, he would seem to need to defend himself against further charges, even when not accused. He offers denial that "killing" his adversaries would be his resorted solution in his battle for justice. He views others viewing him. And he views himself through these same eyes.

> When I think of the judge and prosecutor it certainly isn't to take the power of life or death over them.
>
> Do I hate him [the judge?] No. No. Do I want to run out and kill him? No. But I sure as hell see him as the problem of our justice and should I ever get out of here -- am I going to do something about it? God damn rights I am. To get people like that off the bench.

All of the application of his mind --the engine -- towards the analysis of the failure of his mind for purposes of proving his innocence of murder to the courts takes him back where he started and launches him on another treacherous track -- an analysis of his judges, their context and their judgements. He has assessed that self-reconciliation can only be accomplished within the context of others forgiving him. Unless perhaps he can determine that those "others'" judgement is unworthy.

There is potential solution in his critical judgement of his judges but there is also potential disaster. By discrediting his judges there is the possibility of diminishing their significance in his own self-assessment and therein lies a risk -- another edge, another circle. If he successfully judges his judges as incompetent and the justice system as unjust he will destroy the value and validity of the terminal he has pinpointed for his reprieve. He will have no judges that are worthy of judgement -- no adversary with whom it is worthwhile battling to prove his point -- his innocence. His struggle to find justice for himself within the justice system is to find that there is no just system. And somehow he needs to hold on:

> I guess that despite all the criticism I realize that as a system it is the best system available. It is the individuals who screw it up. If we can improve the individuals -- and I guess in one sense it is an irony that I am going to be had by this god damn system. And that's something that I can't accept. That's a factor that nobody else in here has -- that's a factor that I have to try to deal with.
>
> What we have accomplished here together in our conversation as part of the waiting will only be meaningful to the judges if the appeal is successful. They won't even look at it if the appeal is not successful because then you are going to harp on their vulnerability. They are not going to look at it. I mean even if the appeal is successful it's going to take a big step for some of them to look at something such as this. But I can assure you that they will not look at it if it's not successful because then they may have to say: "How do I look at myself in the mirror?"

And the accused must look at himself in the mirror. He is living in a world dependent on the judgement of others but ultimately he is dependent upon his own self-judgement. The accused's inspection of the dining car brings his anger and rage towards his adversaries to the boil. These emotions are cooled in his appreciation and respect for his allies and further chilled in his recognition that he is ultimately the one that put the ingredients in the pot he stirs.

> The bottom line is no matter what the prosecutor or the judge did -- they didn't kill my wife. I did. So that's the bottom line. They are an important element of adversity but they are not the "cause of chasm" -- I mean I am. I am the basic cause -- the essential cause.
>
> There is nothing in the factum that should convict me. The problem with the "if only" is who do you blame? I make accusations, Sheila. But the blame is mine. It's me -- I have to live with myself.

The dining car contains the judges of the accused's life -- past, present, and future. Their presence and influence is acutely felt in the aftermath. The dining car is the system which he "believed in and gave his life to." The diners include the judges, prosecutor, defense lawyer, psychiatrists, mental health workers, institutional staff, media and public. He surveys the judges and gives his judgements. The irony is that should he succeed in condemning their worthiness the favorable judgement for which he seeks would be effectively worthless. To understand the "incompetency" -- the "ignore-ance" -- of his judges and the imperfections and the abuses of the system is to potentially remove the significance he has attached to that in which he has invested his all -- before and after; and that which he believes holds the ticket for his on-going existence. He cannot resist entering this car even with its circles and edges. His life was and is a place for judgement. As his train keeps running, he sees himself in his judges. If he stops on this track, he is ultimately confronted by the judge he fears the most -- himself.

The Caboose: "I Can't Live as a Murderer." We now enter the caboose. The caboose is the car that potentially determines the destiny of the train. The state and spirit of the caboose -- alert or distracted; motile or quiescent; vigilant or negligent; prudent or reckless -- can determine the eventuality of the journey. It is here that danger is assessed and decision made. Decision to avoid, ignore or even seek danger. Decision can also be made to avoid decision -- to abandon responsibility and, in resignation, to let the train run away on its "inevitable" track.

The conductor on this train has explored the cars. He has looked at the instruments and machinery, the power, and the freight. He has surveyed the passengers: the judge, the prosecutor, the defender, the experts, his own wife and parents-in-law, his father and mother, and his children. His journey through "wonderland" to "nowhere land" -- "never-never land." His world is a painful mirror -- he is surrounded by himself. Reflections upon reflections upon reflections. He has seen himself as peer, professional, community member, spouse, son and father -- and reluctantly, as convicted murderer. In his inspections, he has come to his headquarters: the caboose. The destiny of the train lies here. It is within this car that the brakeman and the conductor share lodging and hold their meetings. It is here that the accused must find himself and his spirit. He has looked at his judges and now he must face the final judge -- the ultimate judge on this journey -- himself.

At this point the danger he foresees is the dismissal of his appeal. If the legal argument is "heard," his conviction would be reduced to manslaughter. He argues that for him this is essential as the label of murderer would then be removed. The accused claims that the difference that will come for himself if the verdict is reduced is that the verdict of the courts will then coincide with his own self-verdict.

> If the verdict is changed, then my adjudication by the legal system is consistent with my adjudication of myself.

> There's nothing, anything that I've done in my life, Sheila, to prepare me for this. There's nothing that my wife and I lived together that would prepare me for this. It is difficult enough to live every minute with the fact that I killed her which I've now accepted. I will live that -- but not with the fact that I intended and deliberately killed her.

The accused spends most of his time reflecting over his experience, thinking about himself, and wondering how he could find himself in this situation. The situation being one of having been found guilty of second degree murder by a justice system that he has believed in and "has lived by" -- in which lies his identity. If denied the justice he believes he is entitled, he speculates that he cannot exist.

> I have to think it over. If I don't -- I'll just kill myself. I think I can make it if the verdict is changed on appeal. I'm certainly to the point where I'm prepared to try. The legal judgement is important because I've lived all of my life by those rules, Sheila. -- [crying] -- That's all that I am. Maybe there are others in here to whom the legal judgement is not as important. But for me, the psychologist or the priest or the psychiatrist who says that the legal judgement is irrelevant can go to hell. I mean that's not me. The legal judgement represents everything. Everything. And there's nothing, there isn't anything else. There isn't any other goal or assessment.

Assessments other than the legal assessment, for example, psychological or religious assessments, do not offer him reprieve -- a hold to his identity. The legal assessment is himself.

> The assessment that the church people will give you -- your fundamental worth as a human being and all of these other things that are said to me -- are meaningless both conceptually and practically. The meaning of the convictions are both practical and conceptual. It's nice of them to say: " You are a wonderful person and God has forgiven you." That's really nice but when you have been condemned by your peers as a murderer --

To this point, the accused sees that the thing that has kept him going is working on and anticipating the appeal. He has been applying his intellect and analytic skills to the transcripts of his trial. He sees an irony in the spending of his life towards learning, developing and refining those skills that are now being applied in self-defense for the killing of his wife. He begins by asking: "What kind of animal could have committed such a vicious act?" And, he goes on to ask: "What kind of man could use his mind to defend such an act?" The entry point for the accused in his effort to understand is the vicious event, the entry point into the vicious circle of trying to understand a life which he has come to view as its own "inevitable" vicious circle.

> That's all I've lived for. If they're prepared to listen then there's more than enough in the factum, if they're not -- then there's nothing that can change that. So what the hell. That's been my life. I have to accept it.

The accused feels he has gotten stronger since he was in the hospital and since the trial. He attributes this to the visits from his children and to his concentration on his appeal. However, the latter creates feelings of guilt and conflict for the accused. He feels guilty that he should be using his mind in such a "macabre" self-interested way. However, for him it is the only way to keep alive, to find a purpose.

> Two things have helped me to get stronger. The children who have been to see me and the appeal. Think of this: working on your own murder appeal. Think of that. And yet the answer is -- you do it or you kill yourself. To me there is no in-between. And so I choose to do it. And, the more I work, the more reason I was alive. There is no other purpose. I had the means to kill myself. The day I was convicted I would have done it -- had my sons not come. They said to appeal.

He cares deeply that he is believed and understood as lacking the intent to kill his wife, particularly by his children and mother.

> I care where the kids are. What the children think. I **care** [emphatically] about them. When I said to you that I don't care what the church people say -- I care what my mother thinks. She's been here once. She stayed a week and she visited every, every, every day. I'm aware she believed and there's a few other -- other people.

He discloses that extension of this concern has constricted because the circle of people who have retained contact with him has constricted. Through this single episode he has been rejected by his friends, peers, and society.

> Just look at the number of people who are breaking down the doors to come and see me. It's hatred, contempt and revulsion. That's the way I --
>
> As time goes by and there's less contact with other people -- then I care -- I care less. But initially if you had asked me -- I would have said I care about so and so.

He tries not to care that "no one cares." The accused recalls the question of the thesis as he had read it when he signed the consent form. He offers his answer to: "What is the experience of spousal homicide and its aftermath?"

> What the experience is for a person, the effect is on a person -- the worst is that no one cares. Nobody can give a god damn. That's the worst, the worst thing. There is no attempt to understand. There isn't anybody who cares. And God, I'm not in favor of taking people's lives. Surely to God that's evident -- least of all taking my wife's life.

The track on which his train runs has taken him to a world of "if-only" and to the problem of "if-only" . . . .

> The problem with "if only" is who do you blame? I make accusations, Sheila. But the blame is mine. She's dead and I'm alive and there's nothing more than that.
>
> I make accusations as you have heard. That's part of the "if-only." But the realization is that it's nobody's responsibility except my own. That's the way I've led my life. That's always been the way. I've not run away from responsibility, in fact, I've searched for it. It's little fantasies that I go through but the bottom line is -- maybe a harsh way of stating it -- but I don't think anything could be more accurate -- she's dead and I'm alive.

On his track he has discovered missed opportunities and arrived at the "inevitable."

> I hate to do it but you just say: "What the hell?"
>
> And that's when God's will becomes a handy crutch. God's will is a handy crutch. I've tried it, Sheila. It doesn't work for me. I've really tried it and it doesn't work for me. The reason it doesn't work for me is that I view it as rationalization. I see it as a form of escaping --

He sees believing in God as an escape. He sees suicide as a positive choice in his assessment of his "reality." He has contemplated this choice in his past situations -- and continues its contemplation in his present circumstances and in his future projections. One of the threads of continuity in his life is his thought to discontinue his life -- to cut the threads. In the aftermath, he considers that he has found new meaning to the choice of suicide. The conductor ironically keeps the train on track by perpetuating ceaseless thoughts of ceasing his life. And the train keeps tortuously rolling along.

> My mind is the only thing that will work for me. That, and still having the right to kill myself. I've thought of suicide before in my life. When things had gotten out of control. I could no longer manage. I could no longer cope. Yes. I thought about it on those occasions. But I didn't have the courage. I didn't have the "conviction." -- Now I do. Other times it was an escape. It wasn't a positive choice. Now, to me, it is a clear positive choice.
>
> I've thought of it before. Yeah. I had thought of suicide but it was just an escape. Like daydreaming is an escape. I don't want to use the word diversion -- but it was that kind of thing. In other words you approach it negatively. You don't approach -- you slip into it. You don't approach it on the basis of being a positive decision. I never did approach it that way. It would be when things had just completely overwhelmed me -- like realizing what I had done when I was charged with misuse of weapons.

In his perception and experience of the diminishing "rights of his existence" he is left with the "right to his non-existence."

> My mind has enabled me to go on to this point. I guess there is a strength there and I can use that if I want to. But I won't in certain circumstances and that's my decision. I have certain rights. Despite everything that I've done there are certain rights that are still available to me and I'm not going to be kept alive as an example of some judge's justice That's not the way I played the game -- to be an example of the abuses of the system.
>
> You want to keep me alive for an example of the offense of manslaughter. Fine. I'll probably accept that and I'll try to make that positive but I'm not going to be kept alive just to satisfy the abuses of the system. I'm not and the reason is that I can't. That is not the way I played the game and I'm not going to play it that way. You can call me anything you want: quitter or whatever. I don't care. There comes a time when you are going to cash in your chips. This is mine. This is my lot.

If the judgement of murder is upheld on appeal, the accused considers that he will impose his own capital punishment. He is not about to disclose a clear strategy. He reveals his honesty and trust in our encounter. He states that he would lie to others but he will tell me the truth, that is, that he will not answer. He views it as his right to keep that option to himself and he is not going to risk having that denied by anyone. Ironically, he finds consolation in life by contemplating death. He cannot believe that he is capable of murder but he believes he is capable of killing himself -- if necessary -- of "willing" himself to death.

> There are certain things and that's one of the things [suicide] that I reserve because that's one of the things that also enables me to function. One of the things that enables me to talk to you. I'd find a way. That's the only thing that I would lie about. To you, I said that I'm not going to answer. If they asked me I would lie. Anyway, I believe you can "will" yourself to death. It just takes longer. It's very easy to do something stupid to get them to ship you to the maximum and there's no problems about dying in the max. I mean the environment is such that I can't survive in that --

He has survived by working on his appeal. His survival depends on the reduction of his conviction. He can't live as a murderer. So the accused rationalizes the spending of his "time" trying to convince the courts of his innocence of murder. Although the accused views the application of his intelligence and analytic skills towards his own self-defense to be macabre and too self-serving, it would seem to also to be his process of unfolding for himself details that contribute to his own sense of understanding and "strengthening."

> What more macabre thing can you imagine? When I came here they were talking about locking me up for my own good. I said that that would be the thing that would push me over the edge.
>
> I never thought at the time that I started working on the appeal that it would produce the sound psychological improvement. It is macabre though. What kind of a human being? --

He speaks of strengthening. He recalls his process of strengthening and looks back at the various settings and phases of his progress. He looks at his life in the hospital, his experience in the courtroom, his contact with his family, his existence within prison -- his searching of himself. He has thought over his past, present and future. He tries to "brake" his thoughts. The more he thinks -- the more he is bothered. When he approaches any possible relief for himself in his explorations, he finds a new portal into his vicious circle -- a new edge to totter upon, a new tie to add to his track to run his train.

> Sometimes there is the spark -- [sigh] -- I've told you that most of the time I'm stronger --
>
> Strengthening in some beneficial light would be great but strengthening yourself just before the slaughter --

The accused views himself as intelligent, skillful, and resourceful. Under his current circumstances, however, he feels a futility and helplessness in trying to apply these. He experiences the justice system as "unjust." He leaves for himself one possible option which allows him control: the option to commit suicide. The only application he sees for his strengthening is that it accommodates a positive decision for suicide. He resents others in their effort to convince him against this. In particular, he resents Christian interpretations of his situation.

> I have my own strength and my own resources. I guess they're still there much to my amazement and surprise. I thought they were all gone but they're still there. If I make the decision to kill myself, that's what I want to do. This is why I get upset when they keep talking to me about positive thinking -- shit -- I am good at positive thinking so I don't need someone to give me these platitudes. If I make the commitment to myself I'll demonstrate in platitudes. I don't need to have them spoken to me. I don't need to be told that God loves me. That I'm forgiven. Is this God's will to have a person -- ? God's will to carve her up?
>
> I have a lot of trouble with a God that is just pulling the strings. Just pulling the strings. The inevitability of nature -- I don't have any trouble with -- any trouble with. But I have a great deal of difficulty with the idea that there is a God up there who programmed -- when I was born. I won't accept that. I don't have any trouble with and I'm not one that has worried or been afraid of death.
>
> The idea that one finds from church people and other quote "do-gooders" unquote that human life has to be preserved because it's a human life. No. Clearly for those who don't have the ability to make the choice -- yes. But not for people who can make the choice.

The accused believes that capital punishment is the appropriate punishment for murder. A murderer is a murderer because he is thus judged. Self-judgement of innocence does not override a legal judgement of guilt for the accused.

> The people who think this is a game - small "L" liberals - rushing around doing away with capital punishment. If they think they're doing me a favor, they're absolutely crazy. I mean if they think that I am a murderer then I don't want to live. It's just that simple. Because to me that kind of person does not deserve to live. If I deliberately and intentionally did what I did to my wife then I don't deserve to live. I don't. I don't.
>
> As opposed to staying in here -- there's no choice but to kill myself. None. None. This is why people who run around against capital punishment -- who the hell are they doing it for? If I am an animal who has taken another human being, for whom are you keeping me alive? For me? For retribution? For vengeance? Is that what they are keeping me alive for?
>
> As I think I have probably shown, I am still capable of giving a lot to life but there is no opportunity to do that with ten years in here, Sheila. But my wife could have given a lot to life too. She's gone -- so it's tough but that's inevitable. You resign yourself to that in the same way as resigning to the fact that I was the animal that killed her. That makes it easier to then say that animals like that don't deserve to live --

He denies himself his own judgement though that is his whole effort. He diminishes the significance of himself. He is forever admonishing and returning to himself as the conductor of his own disaster but he does not think of himself with the potential to conduct his own concord and reprieve.

> Where does your own innocence take you? You start to protest your own innocence and you're looked upon as a jerk at the least. Where does your own innocence take you? Where does it take you? This isn't people judging me to be selfish. This isn't people judging me to be short-tempered. The consequences of those other judgements may be major in isolated instances but usually they're not. These are people who are judging me of having committed the worst thing that I, that society, that life, that religion, that our legal system provides for -- the taking of a human life.

The accused can't live as a murderer -- alone in his self-adjudication of innocence while he is judged by society as guilty. He bounces back and forth. He can see that to be able to live with oneself as a convicted murderer with a sense of one's own innocence might be to be strong. In his assessment of his case it would be to keep his integrity in the face of hypocrisy. But he also views that to live with oneself as a convicted murderer -- in his case as a symbol of injustice -- is to be stupid.

> Now how the hell do you live with -- I gather there are some people who do that -- but how the hell do you live with that? How the hell do you say: "All the rest of you are wrong. I am right?" I've lived that way with respect to other things -- for example in my work -- but not with respect to my own life. You have to say that people who can are strong -- but I can also say to you that they are stupid. That's where you bounce back and forth. There is a part to me that says I can't live as some -- some symbol of this fucking justice. No. No.

The accused tries to unravel his philosophy and ideology: the principles of democratic justice; ideas of the inevitability of nature; an implied potential of pure crystal thinking: the power of the mind over emotion -- an ability to see reality and "truth." Reference to the irrational, mysterious, and the unknown would seem to find him floating with uncertainty and with no satisfactory attachment to a belief system. Thoughts of killing himself bring him to thoughts of a higher power -- and more accountability. Evermore judges and judgements. If this should be, however, it is "inevitable" -- to be faced later or sooner.

> If this is justice then it's for somebody else and it may be a shame but that was my lot in life. I told you I have trouble with God's will but I don't have trouble with a higher power. A Christian God's will is what I have trouble with. I don't have trouble with a God and I'm prepared to be accountable for that. That is something that I have to face regardless of what happens anywhere else --

To be facing this kind of struggle is unjust. He has tried to live according to those things in which he believed. This experience is something he does not believe in. Something he did not believe could happen to him. Something he still cannot believe happened to him. He is struggling to believe the unbelievable -- to comprehend the incomprehensible.

> And I have to face what I've done to my children, what I've done to the rest of our family. To that extent what they and what the legal system does is irrelevant. Can I face up to the both of them? No. And I guess maybe more honestly, do I want to? No. It's not worth it. I mean to me to do the

> things that I have done in my life -- I've only done them because I believed in them and because they were worth it. Whether they were good things or bad things that I have done, Sheila, they were worth it to me. This is not.
>
> If my number comes up at the appeal -- I could certainly say to you that I have a done a hell of a lot more things in my life than a lot of people have and if that's the end of it -- we all have to go sometime. We all have to go sometime -- if that's the end of it -- then I am prepared to go --

The accused shares in conversation with myself partly to convey his message to his children. The children have been a reason to keep on living -- and the accused argues that the children are a reason to stop living. He cannot stand thinking that he cannot see them and yet he cannot tolerate seeing them as a convicted murderer. That they have come to understand that he is not a murderer does not compensate for the label that he still wears.

> I hope my children understand just what I've told you. Maybe it's a good thing that I've told you. Maybe they can hear it or read it. It's something that bothered me yesterday in particular -- the last time I see my son [sobbing]. I can't keep seeing him as a murderer.

He wants to believe that his children believe he is not capable of murdering. However, in his own self-struggle, disbelief and fear of confrontation, he cannot truly test his belief in their belief by posing the direct question. He chooses to live on that edge -- to maintain the edge of uncertainty.

> I don't convey to him [his younger son] as a murderer. I convey to him my guilt as a person who has killed, who has taken a human life but did not do so with the intent -- with the knowledge that is required to be a murderer. That's never been articulated or spoken. That's my belief as a result of the way in which we talk. And I don't see back from him disagreement with that.
>
> There's nothing that any of them [his children] say or do that indicates to me that they don't believe me or that they view me as having deliberately murdered their mother. I don't see that. But it's never been put to them that way. Other than that my younger son and daughter in fact believe me in my testimony as to what happened --

The delay in the appeal is interpreted by the accused as symbolic of the injustice of the system and indicative of a "probable, pre-determined" outcome: the rejection of his appeal and the upholding of his conviction. The inevitable death of himself. He has argued elsewhere that expediency of judgement also reflects the imperfections and injustices of the system. But at this stage it has a "fateful" meaning.

> It makes me wonder why the hell bother? I'm very apprehensive about what this signifies [the delay.] If this is what it's going to mean, then why the hell postpone the inevitable? They have already made their decision and now they're going to look for some way to rationalize it and dismiss the appeal.
>
> I want it over with, I want it over with. I don't want to keep going through this.
>
> I wish I was dead. I can't take this anymore. Just everything but essentially the waiting. The inevitable is coming. Let's not kid ourselves. Let's get it over with. The time has come. The crunch has hit. If they reject the appeal then I know where I am at.

The delay in the appeal gives the accused more time to go over everything again and he describes that he is not coping with it very well. It gives him more time on the runaway train -- on the treacherous track just when he had envisioned a peaceful junction -- the resolution of his appeal. He had also found this in his reflections about the tragedy of his marriage: "Just when things should be getting better ..."

> Everything now, everything is back everything and probably some boogey man with it. I might be trying to interpret beyond what it actually means but -- I'm feeling more withdrawn and wondering why bother? I come up with: "Don't give them [the judges] the satisfaction of killing yourself." That's about it. "Don't give them the satisfaction of removing the problem from them." With respect to the children -- it doesn't make for a very good situation at all because I'd sort of made my peace with them. [Twisting paper from juice box]. My reaction is to just withdraw.

Hopes and thoughts of emerging from the appeal with success are being stifled or at least he is trying to stifle and resist them. He views himself as ready to enter prolonged or even permanent withdrawal from everyone. It is safer to be prepared for the worst. To allow himself hope is to fail himself. He has failed himself in this regard:

> The fundamental rule in here is to expect nothing and you won't be disappointed and so you don't expect anything. A breach of that rule, in part, was expecting the appeal to be heard as originally scheduled. Then what happens? --

> So even when you know what the rules are, the logic only takes you so far. But that's a good example -- expecting the appeal. In terms of treatment, if you expect them to treat you in the worst manner then if somebody is polite to you or nice to you -- then count that as a blessing.
>
> I'm disappointed in myself for having allowed myself to think that it would be over in what is really -- you know -- a very short period of time.

The accused had hoped that he would have been able to extend himself outwardly, including towards the children, in the aftermath of a successful appeal.

> Someday if the appeal is successful, I'm going to talk to the children about all of this. Help them understand.
>
> If I try to think constructively towards the future it is to show that my wife and I weren't complete animals. It turns out we were on the road of no return but despite the fact that we screwed up our own lives we prided ourselves on raising the children in the way we thought was properly. We've raised good children. We cared about the next generation. My son has talked to me about going out to speak to school children and things like that -- [silence] --

He stifles these thoughts by entering another circle for contemplation. He considers that a successful appeal could be another painful trek on his journey, that is, in the aftermath of a successful appeal, difficulties might be waiting in living with others on the outside with what he has done. As I hear it, it also means learning to live with himself and what he has done.

> If I project to a successful appeal then I have problems of living with what I have done. My analysis to this point is that I cannot live as a murderer. I cannot live that way. Maybe it's that I'm not willing to. I'm not prepared to. I just won't. I don't want to. With respect to living with what I have done -- the children have been very helpful.
>
> Then you also project towards being on the outside -- a successful appeal means getting out. I don't know how I will react to outsiders. The only people that I have had to deal with are people who don't give a damn and that's the system. Or people who are supportive. I've not had to deal with anybody else. I don't know how I would react.

For the accused a successful appeal means removing the label of murderer and reducing the sentence -- and thoughts of being on the outside. To keep the label with its sentence is to never leave the prison -- to be fatally trapped behind society's bars and the bars of his mind. His hope is for a successful appeal wherein he will be eligible for early release. He thinks he can cope if the conviction is changed partially because he will have less time to serve. He spends some of his time calculating time to be served in prison. Calculation of the figures as he offers them at different times in the conversation reveals his ability to intricately manipulate -- creating an "a-mazing" interpretation of where he stands and how he runs the train. He spends time calculating "time" but concludes that even if he does win the appeal, time to be served is unpredictable and whimsical.

> The prosecutor was talking about a maximum sentence for manslaughter of seven to ten years. I've never asked my lawyer what he was going to put forward to the court. It would obviously be somewhat less than that. Maybe he was going to seven. I don't know. But the point is, that if it was seven, then one sixth of that is fourteen months, one third of that is twenty-eight months.
>
> Part of my reaction to the delay is that I'll never get these months back. No. They're screwing me and I'll never get these months back.
>
> Besides remember that I have now served two full years. That is the equivalent of six years. I think there's a chance of my getting out on one sixth. If they give me a fixed sentence: one third. Many people go out on one third. Everybody goes out on two thirds. So that if I go out at one third then I've served the equivalent of six years by being in here. So I don't know how much more is going to be enough.

The accused has not found a way to create meaning and purpose to his life within the confines of the institution. Thus far any adjustment has been accomplished through his continued concentration and effort towards a successful appeal. He acknowledges that incarceration has served to keep him alive and has "dried" him up but he is not inclined to try to find a life for himself behind bars. From his perspective any function that his imprisonment might have served has been accomplished.

> Besides the other point is this: if I am going to get out then the purpose to be served by keeping me in here is going to have to be explained by somebody. They've kept me alive. Now whether that's good or bad -- that's what incarceration has done. It's dried me up. Alright. Those purposes incarceration has done. But if they're going to release me, I don't think there's a hell of a lot that this has done. Certainly not from the point of view of counselling. I mean, talking to you is one hell of -- I mean that

> is counselling, and yet that isn't what you're here for. I mean it is therapeutic. That's what I mean. So that I am not going to get it here. If they want me to have counselling -- then get me out. Don't keep me here on that pretense. So those are questions that somebody is going to have to face. If the appeal is rejected, I have resolved myself to the fact that I will not be leaving this facility.
>
> My future -- Who the hell am I to say this but I will -- that future is unacceptable. It's not an alternative. Can something change if the appeal is rejected? Oh -- good luck. This is it. This is the shot. An appeal to the Supreme Court? Forget it. So what else -- what else? Any inclination about serving -- which was never my intent --but any inclinations to serve the sentence would be removed once you're in here. Once you see what the system does to you. If you survive in here it means to be a vegetable. Who the hell wants to live like that? Despite what I've done, I'm not prepared to live like that -- [crying] --
>
> And the problem is that even if you could survive in here, because even if one could -- I've now seen the end product of this system. I've seen people who have been within the system for fourteen years. That's where my value system then says it's been a good life till now. It's unfortunate. Yeah. But think about my wife. Isn't that unfortunate. It's quote "the luck of the draw" close quotes.
>
> It may not be inevitable that one turns out as I have seen others turn out. But the strength that is required -- No. I wouldn't say inevitable but you've got to want it. That is the problem. If I wanted -- I could probably survive better than the ones that I've referred to --

The accused regards his children as helping him the most in surviving up to now in the aftermath and giving him purpose to his existence. At this point, they also give purpose to his suicide.

> If I have any reason for living, Sheila, it's the children. Talking to them and finding out that at least two of them, or the two that I've asked, believe me. Any other reasons are selfish. They are probably not enough to make me function. The selfish reasons are just living. Just living for me.

He recalls that at the time of his arrest he considered pleading guilty. He now questions his wisdom in going to trial.

> That's why I thought of pleading guilty. Why put the children through what they've gone through? Why put my wife's memory through that trial? -- And be convicted? Why not just plead guilty? If I'd just plead guilty I would have been sent to a maximum security institute -- and if you think that I can't insult one of those animals sufficiently so that they would tear me to bits I can't give you much credit.

He is feeling guilty for killing, feeling guilty that his son found his wife's body, feeling guilty for putting his wife's memory through the trial process, feeling guilty that his children were exposed to the trial. The finding of guilt for murder inevitably brings the accused to thoughts of his own death. He has as much trouble justifying his life on-going as he does committing suicide. But he wants to give the responsibility of his death to the courts or even to fellow inmates. Self-adjudication does not offer reconciliation if it does not coincide with legal adjudication. He is faced with the dilemma that he cannot live as a murderer but to commit suicide is to murder himself -- he would have to die as a murderer.

> If I am a murderer, I might as well be dead. If I thought I was a murderer, I wouldn't be here either because I'd be dead. So what we're talking about is whether other people think I am a murderer or not. -- [crying] --

One of the five conversations took place the day before the anniversary of the event. The anniversary holds its ironies too. It is also the anniversary of the day he proposed to his wife. The accused reveals his thoughts of suicide. He can't live as a murderer. Making peace with himself is preparation for suicide. Even as he considers that suicide might be his end, it opens new unanswerables: "What if it's not the end?"

> Tomorrow is the anniversary of the worst thing I've done in my life. Oh God --[silence] -- Tomorrow's the day -- [silence] -- I didn't know how today was going to go -- because of the anniversary -- because of the appeal. I'm also preparing for something else. I am making peace with myself, Sheila. I don't have much choice do I?
> She's dead and I'm alive -- She can't defend herself and I can't excuse or justify or rationalize it. She's not just dead. I killed her. And that gives justification to --that is part of the peacemaking -- Then it's over. [whispering, nearly inaudible] It may not be -- but at least as far as we humans know -- it's over.

Part of the accused's being-in-this-world is sharing the unknown of death. Though he contemplates suicide as an option, it too introduces a maze of thoughts. In this sense, he is connected with the rest of humankind. But if he is a "murderer" he belongs in the sewage of humankind. He tries to think of suicide as a positive choice -- a choice of strength. To live is to throw yourself away and to die is to throw yourself away. Another no-win situation.

> Hell it takes more strength to take your life than to just -- You throw yourself away one of two ways. One is direct and the other is indirect. But you throw yourself away regardless. The coward dies a thousand deaths. And I've never thought of myself as a coward.
>
> Pack it in. No martyrdom. That's garbage. But it is to remove -- I think I've told you what the terminology in here is -- "piece of shit." I wish to flush the toilet.

The reason he gives for himself to keep living has been his children. The reason he gives for himself to terminate his life are his children. He claims that part of his peacemaking has been the assurance that his children "believe" he had no intent, therefore, that they do not view him as a murderer. However, he justifies a choice of suicide as a solution for his children. It would be to remove for the children their father as a murderer.

> How the hell can you seriously suggest that having a father who is a murderer is of any benefit to those children? Those children are just better off if I'm just gone completely away. I have gone through that argument and it just doesn't fit for me.
>
> To be incarcerated is to be -- [pause] -- dead. And it's not just incarcerated. It's to be a murderer. The children are better off if I'm dead. Certainly. Remove completely everything. The slate is clean. They start over without being constantly reminded that in jail is the person -- I hate to use the word father -- who murdered their mother. I'm not suggesting to you that they are spending twenty-four hours a day thinking about me. But think of what this hanging on is doing to them. And that's what it is. It's just hanging on -- [silence] --

The intensity of his own experience, of his own preoccupation, the lack of involvement into anything else is the presumed experience of his children -- hanging on. His journey has been a life-long experience of hanging on to the precarious edges of his existence. One he presumes to be shared by others -- his children.

He has struggled and continues to live in the struggle of contradiction to his desired belief that "for someone to be gone is to no longer have to deal with them." He justifies his suicide as the method that would allow his children no longer to have to deal with him. As he accused the prosecutor of reducing him to the label of murderer, he falls into the same trap in his suicidal justification and projects that reduction as one shared by his children, though he has spent many hours trying to convince himself to the contrary.

The power of language becomes apparent as it can mediate our experience and define or constitute our "world of meaning" with its inevitable categorizing. As noted earlier, the term "murder:" the action, is frequently changed to "murderer:" the person. The action "manslaughter" is infrequently, if ever, changed to "manslaughter-er." This depicts in language the connotation of murder as the "being" of a person rather than an expression of "being in the world" abhorrent and outrageous as it might "be."

> To be dead and gone is the best solution when that someone who has gone is a murderer. It would be for them to no longer have to deal with a father who is a **murderer** [emphatically].
>
> I want to make it very clear that the children are not in any way responsible. They are not in any -- there's nothing -- they can't do -- they are not to blame. If it hadn't been for them I wouldn't be here now. My sons came out to the hospital the day that I was convicted. That gave me the reason to go ahead with the appeal and that's what I have been waiting for -- for a year. But I can't live with what I perceive to be their thoughts -- their -- feelings.

The children gave him a purpose to keep going. The children give him a purpose to stop. To be forgiven by his children for killing their mother gives him permission to contemplate killing their father -- himself. He feels that it would be for their sake just as he perpetuated his life for their sake. He doesn't think that it would come as a shock;

> It won't come as any surprise. My one son will have likely the best understanding and he won't have any feelings of guilt. His feelings of guilt were resolved when he heard the testimony and he came to his own conclusions and then all of his anger and all of his hatred went away, right at that point. I mean, to have left him with the same anger and hatred that my father left me would not have been a very admirable thing to do and I had to do something about that -- but I have been spared that and so has he. So has he. He doesn't have to face all of that anger and hatred. He has had had his chance and he has resolved it. I know that from his dealings with me. The point being is to not leave him without an opportunity to get rid of his anger, his hate.

> My daughter has told me that she has heard my testimony and believes it and that's her opportunity. She's been purged. What I mean is the anger, the hatred that they felt towards me for killing their mother. For instance if I had killed myself on that night, they would have been left with that and the guilt arising from that. Now they have had a chance to work out to some degree their understanding -- to understand.

The accused has a need to justify the perpetuation of his life up to this point. He views it as the opportunity for his children to work out their feelings -- not to feel guilty for residual feelings of anger and hatred. He has trouble with the guilt of exposing the children to the trial process and the depiction of their mother in that process, however he also suggests that it offered them the opportunity to hear his testimony respecting what happened -- his lack of intent. Although this justification is in some ways conflictual with his statements regarding the destructiveness of the court experience on the children, at this point in the conversation he is searching for his "peace" with significant others in his world. The one person who might give him reason to live is the person he killed -- his wife. The nightmares of his wife are lessening and he interprets this as "making peace" -- again preparation for suicide.

> I think my mother will understand. I'm not that close to her but I think she'll understand. The one I felt the closest to is the one I killed -- think of that -- [silence] --
> The closest in caring about and being cared about [quietly]. -- [Silence] -- And now there is nobody that I feel close. -- That reminds me of something: making peace with myself. The nightmares with my wife are now more distant. And at this point I have made peace quite reasonably with the children.-- [Silence] -- Yes. Because -- my younger son certainly has worked out what happened in his own mind and he therefore has an understanding. He has told me that. Therefore, I'm not going to leave him with guilt and hatred. -- [Sobbing] -- Whatever feelings of loss he may have -- he's bright and he will understand because he knows me. He knows what I can't live with and what I can. But I have left him where he will not have the guilt. And I'm now finally convinced that my older son, in his way, which is in a different way from his brother and sister -- There is now more confidence that he has worked it out as well although he has not demonstrated it nor communicated it to me in the same way that the other two have. But just from talking to him and making my own assessment from the signs of his whole bearing, his whole presence, his whole manner.

The accused has received few and infrequent visitors since his incarceration. The accused has not seen his daughter nor his older son he just spoke of for several months. The younger son with whom he feels most communication has not visited for several weeks. The accused speaks of no bad feelings regarding their lack of visits.

> If they come alright, if they don't alright. I just want to be alone. That's why I wasn't sure what was going to happen today. I just want to be alone. I wouldn't have come, though. You know I don't have to come. But there's a reason. -- [crying] -- Today was not just for your scientific research.

He is referring to his need to make peace and his desire for myself to talk to his children. In his instruction is revealed the pain and sadness of himself having to live with himself. He needs his pride and dignity, and, ironically, in his need requests that he be flushed down the toilet. He interprets this as his selfish right.

> It's funny how you get more calm about this than I would have ever thought. That's why I'm finally talking. I always thought that when it came down to such finality that it would be desperation. The bottom line is that it's my selfishness coming to the fore. I've not lied to you, Sheila. I'm not going to deny that. I'm not going to say no. I guess I still want some degree of dignity. I'm presumptuous enough to say that I have some rights and this is one of them.
>
> Talk to the kids. Tell them what you know. What you -- What I've told you. What you understand. Tell my lawyer if there are any organs that can be used -- that's unlikely -- but if there are -- tell him no life support systems or anything. Pull the goddamn plug. No religious services -- funeral of any kind. Cremated and flushed down the toilet. Just get it the hell out of the way. Just over and done with -- as quickly as possible.
>
> In a way that is a statement to the world. That's just to say that I'm just a piece of garbage. Maybe that is a way. I won't quarrel with that. That's how I think everyone else will feel about me. Maybe that's saying: "To hell with you." I don't know. And at that point what I feel about me is irrelevant. The point is just over and done with as quickly as possible. No more. No more showcase. No more god damn news. It'll be there -- in the news. I've inflicted so much harm, so much pain, so much hurt -- [silence] -- If only that can disappear with the flush of a toilet. I'll find out if it does for me. And that perhaps is my selfishness and that's my last right.

The accused expresses his intolerance for the intrusion of the outside world -- the eruption of his private world into the public domain. His reason to keep going was the children; his reason to seek lesser conviction and vindication was the children; his reason to endure the tortures of the trial was the children. The accused reveals a need to justify his own on-going existence in the face of his awareness that his children's mother's existence is terminated -- terminated by his hands. He has translated the perpetuation of his life as a measure of his "unselfishness" -- a revelation of his love for his children. The "unselfishness" he considered tied him to a no-win marriage -- ties him to his own existence. In his interpretation, "selfishness" would have led him out of his marriage and selfishness can lead him out of his life. His suicide: a reflection of deserved selfishness denied in his life but granted in his death.

> What else is left after the appeal? What else is there? There is nothing else left but to kill myself. You can't take that away. I can't presume that the others would necessarily come to the same assessment. But it is not necessarily what they think. It's what I think. It's my life. And if I want to be cruel, I'll tell you that it's none of their business.

However, he has offered views of himself as not selfish enough. And he does live on. This reasoning corresponds with the dilemma he identified in his marriage: he kept on in the relationship because of his unselfishness; he denied himself leaving because he wasn't selfish enough. His track of understanding of one experience ties into others.

> The bottom line is that I can't live with myself. I can't live with myself if I am a murderer. I believe that I am not. And when I say that I believe that I am not -- I don't know -- [great sigh] -- You just don't know. -- [Long silence] -- When something like this happens to you, Sheila, how do you ever say that you know anything else? I think I've told you this: I don't believe that I am the animal that did those activities, those acts -- vicious -- I don't believe that I am that animal and yet I am --

Disbelief of his own viciousness intensifies and propels the viciousness of his process of understanding -- the ever vicious circles that haunt and plague him. He can no longer trust his thinking and yet that is all that he does now -- think and analyze. Overall the experience is surreal, he watches himself as he rides life's journey suspended above the track in disbelief and confusion.

The caboose contains determination for the accused's destiny. It too is a circle within a circle within a circle. It contains the webs of thoughts, emotions, and instincts that direct him deeper into "never-never-land" and "nowhere land." The accused states over and over again that he cannot live as a murderer. That is where our conversational journey began and that is so often where it winds and keeps turning. The irony of the statement is that he has been legally judged a murderer and thus is undeserving of life. The engine -- his mind -- failed him during the vicious event, and fails again in his inability and failure to convince the courts to remove the label. It also fails to convince him of his own argument and might be seen to skillfully pull him out of his own "sentence for conviction." In his inspection of the caboose he is convinced that he can't live as a murderer -- a person who deliberately takes a human life. Ironically, with this analysis, he can't kill himself. He can't live and he can't die. At some level he demonstrates that "human" part of himself that must try to find some understanding and compassion for the "animal" in all of us.

> If I told you that I have completely given up at this point -- that's not true. I wouldn't come to talk to you if I had completely given up.
>
> If I can articulate to you, and if you can understand what I am articulating, then it means that, whether I am right or wrong -- I understand.
>
> I don't know what you are going to understand when we are finished, Sheila. I don't know that you ever really understand any more than this. That was my starting point too. That's why I say to you: "It's just a vicious circle." Nobody in their right mind could do something like that. And I don't know if we can understand.

In his need to understand, he reveals his need to feel connected to others. In his need to understand, he also reveals his need for others to connect with him. And in his need for connection, he reveals his need to be cared about. In caring about him we are caring about ourselves. We are connected in being unable to comprehend the incomprehensible -- our being in this world.

> I think it is important that I try to explain to other people that something as horrific as this can happen. I hope that I'm not rationalizing to anyone because there are too many people -- myself included before this -- running around absolutely certain that this could not happen to them. And I've proven them -- I've proven them wrong. Haven't I? -- [silence] -- [crying]
> Sheila: So again there is a connection with others as well as a separateness which is most important. So it is making terms with each other rather than expanding our separateness and differences which is important for us to understand. The potential for all of us to be where you are is what has become clear for you.
> The Accused: Yes
> Sheila: And yet we prefer to put you into a different category.
> The Accused: Oh, yes. That of animal.
> Sheila: Rather than to realize . . .
> The Accused: That all of us have the animal in us.

Since our conversation the appeal was dismissed. The accused has filed to the Supreme Court of Canada. And his train runs on.

VI. The Words Speak Beyond Themselves

An individual's life story can have no general significance apart from the experiences it contains, and the experiences have no cumulative significance outside of an individual's life story. What the author wanted in this project was a means of combining the two modes, so that the substance and essence of the experience of spousal murder and its aftermath could be understood as a chapter in the spiritual biography of the whole man and find some place in the conversation of humankind. I sought my goal neither in the horizon of the accused as separate nor in the distinctions of my own horizon; rather I sought the influence of each on each other. Thus I have tried to understand what it is to be journeying in the aftermath of spousal homicide, what it is to look at the world through the accused's eyes, to listen to the sound of the wheels that support and suspend his train in its many directions. And I found that I too ride a train with its own wheels, spinning their own sound and held to their own tracks -- carved and directed by the rocks and plains of my surrounds and landscapes . . . those which I create and those to which I am vulnerable.

During this journey something began working on my mind and now it is clear to me: there are no incidences, there are only co-incidences. When a tapestry is looked at closely one can see the separate threads of which it is made. There one sees the incidence of a single stitch, there another and another. Hundreds of them coinciding make the whole picture. Every tapestry is a pattern of coincidence, unrecognizable in the single stitch. Each incidence of anything in life is just a single stitch and our faces are so close that often we cannot see that of which it is a part. Though we may try, we shall never stand back far enough to see the whole picture. Our understanding will always contain a blind ignorance. Yet, in our sharing of what we see, we can bring new insight and dimension to our vision.

On the hermeneutic journey undertaken in this study neither explorer could make claims to be the agent of travel; we both took the journey "not knowing" our destination.

The accused and I continue on separate trains but we will nonetheless undoubtedly feel the influence of each other as we carry on in life's journey with its "inevitable" concealments and unknowns. We each continue as explorer, recognizing that to think oneself agent is an illusion . . . life with its ambiguities, uncertain borders and boundaries should ultimately force us to search deeper into the mysterious tracks of our being.

We view the world within the confines of our own horizons. The world is a mirror of ourselves and ourselves a mirror of the world we perceive. The unity is the mirror of self and world: our "wonderland." The accused's journey is the epitome of our struggle to "be" through understanding. The difference between this man's story and a fictional story is that it has no plot. It is powerful, vital and compelling but also vague, desultory and unconnected and when we try to disembark his train . . . it still runs on with the mystery still unsolved.

The Hermeneutic Circle of this Study

To block this journey into chapters is perhaps somewhat misrepresentative of the experience. For each chapter is intertwined with the others and in some ways it would be more appropriate to call the chapters "circles." They loop into, out of, and within each other. Therefore there is no arrival at a conclusion or an ending. This chapter will lead back as much as it will point ahead. In keeping with format tradition, I have demarcated and numbered the chapters, and as I bring the reader to this chapter, I am aware that it has been in the writing since page one, and is, in fact, contained throughout. In many ways it is tempting to eliminate it and offer blank pages to be filled with the thoughts of the reader, not because there is no more for me to say, but rather because what there is to say seems inexhaustible. In a sense, as I enter this circle as the final chapter contained within this binding, I am aware that my intention to speak beyond the words has already occurred. Many issues and clusters of ideas have already emerged, been identified and emphasized in the previous chapters. However, it becomes my "response-ability" to decipher more clearly for the reader some of the threads that tied themselves together in my horizon of understanding.

It is at this point that the parts and the wholes are interwoven so absolutely that the challenge to do justice to the picture that has evolved becomes more formidable. Further exploration, description, and interpretation inevitably alter the picture once again. This constant refinement however, is the hermeneutic process and it carries on. And this chapter is but another circle to the spiral. The process of its writing was like a fusion of thoughts and strong emotions transfigured into a wholly new experience, whereof, when I sought to bring out the separate threads I felt balked: for humiliation and pride, tenderness and brutality, desire and hopelessness, satisfaction and frustration, yielding and insistence, isolation and communion -- seemed to be there all at once, yet without any dubiousness or ambiguity in the manifestation. Elements seemed to be there which I have struggled to adumbrate in my translations, thus making the experience seem vague only in my attempt to interpret it, while really the lived experience has a unity and individuality pertaining to its unarguable reality as it lives on for this man.

As I attempted to lift out and express the broader meanings that had spoken to me, I felt that I was prone to reach such an expansion in my thoughts and feelings that the words that I could find as anchors seemed effectively to shortchange my intended meaning. The selection of one word to the exclusion of others seemed potentially to exclude the infinity of meaning that was being experienced and referred to; and at the same time the infinity of meaning contained within the selected word seemed at times to render the writing almost meaningless in its ambiguity. However, for me this was just one more predicament that reflected the perplexities and dilemmas of trying to understand our "being in this world."

In the previous chapter, I remained close to the "data" in my effort to reveal and depict the vicious track upon which the accused runs his train -- patterns in his struggle which I have described as strangely familiar: knots, binds, impasses and treadmills. In this chapter, I attempt to distill them further towards more abstract representations. I hope they are not so abstracted that the reader may not refer back to the very specific experiences from which they derive. Yet, I have felt them to be sufficiently independent of "content" for one to divine the elegance and ingenuity of their construction and to evince their manifestation of man's being in this world. It is my impression that in our need to understand and in our capacity to feel and think, we have all been aboard the runaway train and are variously rested and disturbed, enlightened and bewildered -- captured by the infinity of threads that spin the web of humankind in universal conversation.

Thinking the Material Through

Having heard, in the preceding chapter, the accused speak in various ways of his experience of spousal homicide and its aftermath, and having attempted to strengthen and expose the ontological pointings that issue through the speaking, my task in this chapter is to engage in the form of hermeneutic writing which Gadamer describes as a "thinking the material through" (1982). As suggested in Chapter IV, through such writing I attempt to lift what is spoken in the conversation out of the burden of its specificity in an effort to make it speak again within the broader conversation of the community of humankind. Hermeneutic writing has a poetic function in that it attempts to capture, embody and convey the rhythm, spirit, and feeling of the experience as an expression of our being in the world. It is to show human conversation, not in its individuality but how it resounds in its infinity and unversality of meaning.

As also proposed in Chapter IV, hermeneutic writing can be understood as a kind of deliberate exaggeration which transforms the original occasion of the personal utterance into a new form. This new form is intended to have the power to speak again. It has this power not because it is fuller or more complete, but rather because its very creation necessarily constitutes its one-sidedness that calls out for completion through the reflection and interpretation of its reader. As does all written work, hermeneutic writing requires, for the fulfillment of its purpose, the active conversational involvement of the person who reads it.

For me, poetic interpretive writing (hermeneutic writing) depends for its sheer existence on the clearly implied conflict between that which is written and that which is being contradicted by what is written. It is this tension, varying in intensity according to the structural juncture a written work has reached, between what the author finds words to express and what she makes the reader feel she was expected to express, that constitutes its art. The clearer the tension, the more artful the text -- and the clearest tension is that which combines the maximum of contradiction with a maximum of unity between the contradicting elements. The background of this written work is both the sum total of the expectations that I raise in the course of the text without fulfilling them, and the sum total of those unborn fulfillments. The foreground is simply what I do instead -- the words that I actually put on the page.

To begin to fathom the essence of the experience of spousal homicide and its aftermath requires not only giving oneself to direct encounter with the "lived" experience but also standing back from that experience in order to see its universality. It is necessary to have the willingness for deep feeling but also the opportunity to master and integrate such feeling. As long as the investigator is "possessed" by the emotion of her journey and its experiences, it is impossible to symbolize it in a new conversation. The new conversation takes its origin from the emotion and experience as they are recollected from a frontier of composure.

The process of reconstructing the conversation contained in Chapter V provided an intermediary distancing for the author to reflect upon what is revealed about spousal homicide and its aftermath in direct encounter with the accused and in the "naked" conversational transcripts as they had offered a profusion of examples, ostensive references and vivid recollections. As the speech is presented in the previous chapter, I note that in virtually every utterance there occurs a pointing to that which lies beneath it, a view of the world brought into resonance through each word and phrase. In drawing the speech further into a new conversation, it is impossible to address each and every issue. Undoubtedly much will be left unsaid. But leaving something still to be said opens the potential for reflective engagement of others. The vitality of writing lies precisely in its ambiguity: it rests in its power to call, from within its incompleteness, the word of others.

It may be asked how and why particular meanings developed by the author were selected for hermeneutic exploration. What is their claim to being worthy of attention? I relate the question of validity to the process of hermeneutics as participation and distanciation. An inquiry conducted as conversation between co-participants and as a written text for the readers becomes a means whereby we distance ourselves from the lived experience and permit critical reflection to take place. Distanciation, however, does not remove the essential belongingness that we as humans have to the lived experience. A hermeneutical awareness of our situatedness as fellow travellers sharing life's journey returns to us as we appropriate the insights gained in critical reflection.

As I have come to understand hermeneutics and allowed for its infusion in this study, the object is to identify what are heard to be the dominant ontological issues speaking through the conversational text. The selection of meanings that I come to explore does represent my interpretive judgement of what seems to be most powerfully present in the experience of the co-participant. The reader must never forget when referring to the meanings I have brought forward that the actual experience has no direct relation to them, but only an indirect one; for the written interpretation never expresses the experience -- if at all successful, it can only point to and evoke the inner nature, the in-itself of the experience, the will itself.

Furthermore, it has been discussed throughout this study how it is that hermeneutic inquiry finds its process through a unique appreciation of the nature and function of language, and particularly language understood as conversation and dialogue. This means that the hermeneutic exploration represents a form of dialogue between speaker and hearer, and that the hearer then speaks from an interpretive appreciation of what it is she has heard. But what is understood to have been heard can only be heard as it somehow resonates within her own experience of being in the world. To be appropriately understood, then, what is spoken anew from the hearing must issue from an acknowledgement of that within the experience of the hearer which allows for the granting of understanding. In hermeneutic writing it is therefore necessary for the author to articulate for herself and for the reader that which opens herself to interpretation. Through the depiction of the author's personal landscape, hopefully the reader will be enabled to participate more fully in the total "conversation which we ourselves are" (Gadamer, 1982).

Throughout the preceding chapters, and in particular in the Prologue, I have attempted to elucidate partially the personal orientation I brought with me on my hermeneutical journey to the land of the accused. I came prepared to reveal and open myself in this endeavor -- to the accused, to myself, and to the blank page. And I believe that this has occurred -- consciously and unconsciously, knowingly and accidentally. I acknowledge my horizon to be very much part of the landscape that set the tracks, but by its opening it is also a transformed horizon out of which the following understanding emerges.

Going Beneath Past Research

In the Prologue, I unclosed myself to the reader in an attempt to articulate the inspiration and context that provided the groundwork for this pursuit in the formulation of the question and in the mode of approach. I tried to expose the attitude that I believe has guided me in my journey: curiosity, caring, receptivity, and a sense of my own creative potential and my own limitations. From my originating horizon I identified my concern that, in terms of explaining and theorizing about spousal homicide in the social sciences, the accuseds have been separated off from any meaningful engagement within the self-reflection of the broader community.

As I look over the literature review it strikes me how many components identified in this review are in fact identified by the accused in his life review. The stereotypical image that I depicted at the end of Chapter II before entering into direct encounter with the accused is quite apt. In this sense the accused and his experience might be seen to fit into our preconceived notions.

So where has this journey taken us? For me the paralleling factors recognized and contained in the research "come alive" in his dialogue. From his depth he has led us to ourselves. Beneath the labels we are led to our own process. The dialectical journey invites us into our own experience and questioning. There is a similarity of content offered by the literature review, but the accused in dialogue offers the living example of the static presentation and allows us to be touched in his willingness to be exposed -- and he thereby exposes to us, our own depths.

In this study what has emerged through the speech of the accused is the profound intensity of spousal homicide and its aftermath as a living experience. It is an intensity that issues from a recognition that the accused's life and the life taken are separate from other lives and yet also part of every life. So that, on the basis of a study such as this, the interest cannot simply be to articulate an explanation of the event and its aftermath, nor even to depict the central characters more clearly in their multi-facets. Rather, the concern must be to place at the centre of our deliberation about spousal homicide what lies at the heart of the experience. Such a response represents a truly revolutionary struggle between the tendency to isolate offenders from non-offenders and to be open to the offense as an expression of ourselves as human beings. As a result of being open to the realness and livingness of the experience the whole perspective becomes different -- the horizon becomes different, and its difference lies precisely in the way the event calls to our "response-ability."

Professionals and others who have become involved with this phenomenon may understand the uniqueness of each such event, but the uniqueness and individuality of each event are not features expressive of something which exists completely alien unto itself. Otherwise, as Dilthey says, it could not be recognized for what it is. Rather the individuality of the event can only be something that gains its recognition from that which it is not. But the "is-not-ness" has no meaning apart from the"is-ness" from which it gains its unique identification. So the separateness and distinction of spousal homicide and its aftermath is not a pure separateness, but rather an identification which is gained dialectically in relation to that from which it springs -- the context of a shared world of language and experience, of mystery and the unknown. Through a hermeneutic attitude of inquiry, I believe the investigator and the accused have been taken to a deeper, broader understanding of each other -- a closer connection in our "being." This was the expressed purpose of both in our agreement to share the journey.

As I shared with the accused in his experience of the aftermath, it frequently struck me how the "in itself" of his experience represented the hermeneutic struggle. For his experience is the experience of searching for an understanding of an "alien part of his being." He reveals his need to disclose the meaning to himself of his abhorrent, aberrant behavior -- a need to open awareness of his own reality. Yet there is simultaneously a closing off, a limit to his willingness. For this too he seeks an understanding. He wants to challenge his fore-understanding and go beneath the facade of his existence but he is threatened with an excruciating image of his potential. Who better than he can agonize over what lies in the unknown dimensions of "being?"

Hermeneutics is a continuous questing and "re-questing." It is an everlasting dialogue triggered by a mystery, a sense of "not knowing." The accused lives with "not knowing" and his question is most clearly a profound and painful question of himself.

But his search is not confined to an inner world. He needs his outer world to reciprocate. He and I both searched the question within and between ourselves. During the fourth encounter I shared some of my writing with the accused so that he might be informed as to the content and direction of my thoughts and inklings of his experience. He commented: "That's extremely perceptive. You use pretty mild adjectives to the way that I --. You use different language. But you're extremely perceptive and on point." This sharing I now consider occurred at a relatively elementary phase but at that time, as at this time, destinations were not in view. The sharing that occurred at the time was my understanding of the specific experience as it was felt by the accused and as it was merging with my own experiences. It was helpful to share with the accused in that his reaction encouraged me in my deeper journey towards this chapter.

The accused said that he did not want me to send him the final dissertation to be read all by himself, implying the lonely discomfort and uncertainty within the depths of his being. My understanding of his reluctance to read about himself in solitude is that he continues to be afraid that the world will let go of him as he is tempted to let go of the world. In his dialogue with death, he resists and fears the death of dialogue. He is afraid that the dialectic will be put to rest . . . will stop.

Understanding is an event -- a happening. It occurs when one's research, one's questioning and the world in which one lives as researcher, as questioner . . . as human being merge. Every act of understanding involves relating what is to be understood to the situation of the interpreter and thus contains a moment of self-understanding. Hermeneutic openness to a text means a willingness to risk having one's own views challenged and the limits of one's own horizons exposed. Thus every appropriation of making one's own of another's meaning harbors a potential for changing one's moral-practical self-understanding . . . and thus perpetuating the conversation.

To the extent that this has been achieved, or even made more vivid as the object -- the study has provided an experience that can be part of our on-going being in this world. The message of the accused speaks to systems, to professionals and to persons relating to each other and to themselves. Perhaps others may be persuaded that a hermeneutic approach can take us beneath the labels and stereotype's into greater depths that lead toward a closer understanding of what it is to be human. It attains its success if readers find themselves asking their own questions on their own "journeys" towards coming to terms with their own humanness in the world -- the world we all inhabit and travel in.

Voices in the Aftermath

Hermeneutics conceived as the ontology of understanding assumes that understanding emerges at the interface between the events of one's research and the world in which one lives as researcher. According to Heidegger, the circularity of understanding is that between parts and whole, and between foremeaning and new meaning -- and this underlies all human understanding. Conscious understanding will be concerned not merely to form anticipatory ideas but to make them conscious so as to check them and thus acquire "right understanding" from the thing themselves (Gadamer, 1982, p.239).

In the Introduction, I offered some of my projections and tacit understandings of what might lie in the land of the accused and they have not necessarily been contradicted. However, throughout the hermeneutic process these were being suspended, challenged, and modified. And as I re-read them, they seem pale in the breadth and abstractness of anticipation and speculation when compared to the emblazoned hues that are the color of the "lived experience" as shared by the accused. This chapter again presents abstraction, for to express the essence of experience, rather than the experience itself directly, requires abstraction. Thus I am led back to abstraction but it is derived from a transformed horizon which I believe is more illuminated and vivid in its elaborated breadth.

I have chosen to depict my understanding of spousal homicide and its aftermath through three "clusters of ideas" that I detected in the speech. These are thought through not as they are self-contained but rather as they flow within, without, and through each other. The synthesis evolves through an awareness that the process of our hermeneutic journey occurs at multi-levels and in a variety of dimensions and swirl together like layers of a lake, the ripples of the pebble dropped both spreading out and sinking down. The object is understanding -- as we search inward and as we extend outward. I am aware that this object is held as mine, as the accused's, as one shared between two people . . . and with humankind. It is this idea that has disclosed for me the aspects of this process that are the experience of the accused, my experience, and the experience of being human.

So it is that I came to discern this man's experience as the experience of humankind in its search for meaning and understanding. His experience becomes a metaphor for that broader experience and his experience has more clearly taught me that understanding comes through the voice of experience -- and its hearing. He has described events of his life as "a complex plea for help" to which "nobody paid attention," "nobody's listening." My attention has been drawn to the enormous power of humankind's need to be heard -- a power so overwhelming and yet so subtle and so little understood that the consequential manifestation of its denial takes us by surprise. I have scrutinized the sound of his voice such that three clusters have emerged: "the consistent/inconsistent voice," "the resistant voice," and the "persistent voice."

The "voice" is used here to underscore the relationship between mind and body in the way that we come into and confront our world. For "voice" in one sense has a connotation of disembodiment, and the experience of the accused's being in the world is not so much of a concrete objectivated nature but rather as an undefinable presence, present within our shared yearnings, wonderings and questionings. But without doubt, too, voice implies a body belonging to the one who speaks, so that the voice of the accused in the world is not merely ethereal, but it is also tangible.

We are born into an on-going conversation that requires our participation in the language of the world with the distinction of our own unique voice. The "consistent/inconsistent," "resistant," and "persistent" voices are the voices of humankind in conversation: public and private as they are sounded between and within ourselves. They are sounding in the solitude of our existence within the context of community. They have the potential of self-healing as it is facilitated by extending ourselves simultaneously outwardly and inwardly such that the power of concern, caring and loving can be reciprocally offered and received -- and thus their boundaries unleashed. But they also have the power of imprisonment and destruction -- both of others and self. . . .

I believe that it is in the speaking and in the listening of the voices that the runaway train can be derailed off its circuitous track on the "edge" of being and onto a spiralling track towards the "centre" of being. So that in hearing others we can more clearly hear ourselves. And in hearing ourselves we can more clearly hear others. The sound of voices constantly penetrates our world in such a way as to potentially overturn its priorities, intrude upon its plans and, in both very direct and very subtle ways, call it into question.

To journey towards the "centre of being" requires the admirable balance and harmony of all the voices as they need to be sounded and need to be heard . . . in their eternal conversation. The accused prompts my understanding of balance through his insight:

> You need a proper balance in order to function the way we were designed to function. I have the belief that we were designed to function in a certain manner. You put yourself out of kilter. You put yourself out of balance. And even if you are so vain as to think that you can *control* it, you have to be extra cautious.

However, as I hear the accused, this very perception reveals the imbalance in his hearing of the voices in his world -- for he advocates striving for "control" rather than "concord." As we are equipped to "hear" we are also equipped to choose, consciously and unconsciously, "not to hear." This choice might provide a sense of control but it is a false control, itself creating an imbalance. The voices of our worlds are invested with different needs and forces, and "deafness" can neither contain nor eliminate their sound.

The "consistent/inconsistent voice" is both a voice of accord and a voice of contradiction. It holds always to the same principles and practices but is arbitrary in its applications. The "resistant voice" is a voice of resisting. It has a force that retards, hinders or opposes motion. And finally, the "persistent voice" is a voice that refuses to relent, it continues especially in the face of opposition and interference. It is stubborn and enduring. It lasts without change. The accused is deafened by the sounds of his own "voices" -- as they are neither heard by himself nor by others. It is my feeling that the crescendo of the voices of the accused was silently building in combative dissonance and disharmony as he had turned his back on the sounds of himself and his world, and he found the world had turned its back on him. I have chosen to try to amplify one voice at a time and try to express some of its message as it continues to make its sound.

The Consistent/Inconsistent Voice. No one can deny the beauty of pattern and structure. The consistent/inconsistent voice can be heard in the experience of spousal homicide and its aftermath as the accused struggles with trying to discover how apparently discrepant "facts" can be linked into a coherency. It symbolizes the accused's attempt to make sense out of existence by discovering or imposing order upon it. He aims to seek order in complexity and unity in diversity. The consistent/inconsistent voice, fascinated by analyzing incongruity, rejoices in bringing together things which previously appeared to be incongruous or widely disparate. Even the simplest kind of sound is composed of contrasting elements. This voice sounds out its desire for pursuit of the whole in piecing together tangents and "loose ends." The accused is lured to incorporate elements of his experience in an effort to combine and transcend that which at first appears widely discrepant. A single idea ventures forth and returns with a track of new ideas unwilling to conform to the mechanics of schematized structured patterns.

The inconsistent/consistent voice makes its sounds within the higher reaches of human mental activity, with the ability to conceptualize and to think in positivistic, empirical terms. In the accused's experience of the aftermath, rather than surrender to reflexive responses or emotional stirrings, the volume of this voice would seem to be raised in combat, fighting with an internal experience which does not necessarily correspond closely with the "reality" of his external world.

If the consistent/inconsistent voice were to be sounded without competing voices all that would be required would be for the environment to remain constant. So long as this occurs the accused can be governed by pre-programmed, rational responses regardless of whether these responses are consistent or inconsistent in themselves. He need not innovate. Complex sequences of sounds forthcoming from this voice are so elaborate that, at first hearing, it is difficult to believe that they are not the product of a flowing and resilient process. The accused himself articulates mistrust and suspicion of his own open-mindedness: "Am I orienting a reasoning or is it a genuine attempt -- limited or not -- at understanding?" However, when the sequence is interfered with or interrupted, the rigidity in his style is made manifest. The accused has to "start again." He cannot vary the pattern.

Though it may take a different tone, the consistent/inconsistent voice repeats itself. The environment with which the accused was familiar previous to the event has been altered significantly but he copes by trying to retain a semblance of his old life. For example, he finds application for his professional skills in working on his appeal and pursues old customs such as reading the newspaper. He can neither accept nor adapt to changing circumstances. He is at the mercy of his environment. Thus he gives great volume to this voice. I hear this voice speak to the accused of life as "functioning." He frequently refers to his existence in these terms: "That is what enables me to function . . . "

"Function" as defined by the dictionary is to meet required or expected activity. His internal economy is perfectly tuned to cope with the patterns and structures that his rational mind has created -- that which gives him control. But, confronted with the irregular and unforeseen, he is at risk of extinction -- both that of others, and his own. The accused's experience illustrates that cognitive ability, even in its greatest refinement and sophistication, can become our enemy rather than our ally if characterized by rigidity rather than flexibility.

One can hear that for the accused the price of flexibility is to live with recognition of a less than perfect adaptation to the external world, giving rise to some degree of dissatisfaction. So long as the environment remains constant, all of his conscious, analyzed needs are met. He can be satisfied, content, and at peace with himself and the world. However, such peace belongs only to an "hypothesized" existence. The fact that there is no rational fit between man and his environment has been one factor that potentially constrains or releases the development of our creative responses. Flexible cognitive activity, as the accused identifies, begins without an "end" in sight. The consistent/inconsistent voice when listened to is pleading for permission to find and meet the "im-perfections" of our world, to give them sound, rather than to silence them.

The accused's experience is to find that the patterns and structures he "lived his life by" failed him. He is torn by the irrational and incoherent. He tries to bring order out of chaos: to impose unity upon the divergent, continuity upon the disjointed, and compatibility upon the incongruous --"violently" searching and self-condemned. . . . As he sees it, he has been hung up by and is forced to hang up the systems which he once embraced and had come to translate as: "That's all that I am." They do not fit. They battle with the other sounds of his world. They "move him away from" and are "unlike" the qualities that distinguish his "being." The systems come in from outside with suggested patterns: some deep and some shallow, some beautiful and some ugly.

One response to disruption and disillusionment is to allow the external world to lose significance. He turns away from an external reality that has brought him no satisfaction, and retreats to the sound of his "resistant voice." In his ties to the rational and logical, his landscape is featureless and frozen. He responds by "flirting with" and "living on the edge" of his being, unable to believe in the warmth of a world that he cannot intellectually determine or appropriate. The incompatibility of his wishes and impulses and the reality of his environment demand that he listen for a voice in harmony but this perpetually eludes him. The rigidity of his cognitive analyses demands that he transcend his reality rather than conform to or meet with it. He must sit atop of his world as judge rather than within it. He sits on the rungs of his ladders -- constructed as these are out of ideals and perfectionism, but in the inhumanity of this "holier than thou" position he qualifies himself to judge others as less than himself -- permitting himself also to be deaf to their voices -- resounding as they are with his own, close as they are to his own.

The consistent/inconsistent voice has become shrill in its intrusiveness -- it is impossible to hear harmony in its sound. In some ways it has become a commissioned voice trying to satisfy the patrons in his outside world . . . but it is necessarily also the sound of his inner world. The sounds of both reverberate: the order he has imposed on the world is imposed upon himself, and the order he imposes upon himself he imposes upon the world. It speaks both from and to him -- and reveals its imperfections. He tries to reorder and bring into balance the tensions and turmoils of his reality -- of life -- and often instead emphasizes and exaggerates them. To be at peace with the environment is to feel the unrest within himself, and to be at peace with himself is to feel the unrest of his environment. And if the consistent/inconsistent voice should be heard in unison with the "persistent voice" that asks to be released, unencumbered and with spontaneity, the sound of his "resistant voice" effectively interrupts.

The Resistant Voice. The temptation to give up in the face of hurt and hardship is undeniable. One penetrating voice in the aftermath of spousal homicide is the resistant voice. This voice speaks of resisting pain -- resisting "reality." Its tone speaks of rest. Its sound expresses the raptures of a condition to which there is no parallel in sober wakefulness. It rises at the boundaries of our physical, emotional and mental tolerances -- the periphery of our beings. It reiterates the "fever" of "reality" and the "dreaminess" of "unreality." It can bring elation or depression. It can be inspirational or defeating, protective or destructive. It is a voice seeking disconnection from the "real" world, directed by wishfulness and "if-onlys." It can have a delirious quality. It seeks peace and escape from overactivity of the mind and the challenges of "truth." It defeats movement with its pacifying lull, proposing that stillness and silence can be found in sleep, fantasy, withdrawal, work, amnesia, drugs/alcohol, or even death; and defends itself as "inevitable." It suggests possibilities to the impossible and answers to the unanswerable through supernatural images. Thus in its potential to replenish, it can also drain and diminish.

In its response to adversity, the resistant voice speaks to the accused of life as "survival." The accused frequently refers to his on-going existence as surviving: "That's what has let me survive to this point . . . ." According to the dictionary, "survive" is to live or exist longer than or beyond the life or existence of; to continue to live after or in spite of. The accused identifies that as he boarded the train after visiting his father -- he was destroyed. It would seem that "life" continued in spite of his destruction, in spite of his non-existence . . . for as long as we are fighting life, life is there. It is inevitable.

This voice in its constructive quality can stave off descent into the abysses of existence. But its constructiveness relies upon hearing the complementary sounds of the persistent voice -- the voice of identity, individuality and thus self-esteem. For the resistant voice cannot create self-esteem but rather relies upon it for its positive potential. In the face of life's disappointments, losses, and failures -- the normal hazards of existence -- the resistant voice can help sustain and protect. However, if there is no chorus of self-esteem, it makes a ceaseless sound of melancholia, offering no relief and crying out for avoidance, which becomes its major melody. It holds onto the edge of the abyss of no self-esteem, promising compensation for inner emptiness by singing praise of manic overwork and providing recurrent injections of self-esteem from external sources -- successes and professional recognition. If these frequent "fixes" begin to fail, it can turn to more potent and "deadly" escapes. . . .

The Persistent Voice. The voice of persistence does not give expression to something, nor does it echo independent formal structures: it is the sound of sound itself. It does not change. It lasts forever. It comes unexpectedly in laughter and in tears. It has no cause or "reason." It swells from the depths of our creative passions. In this voice the sound by which we know ourselves to be alive can be heard in its pure form. It is a profoundly irrational, anti-intellectual voice, and so it is not surprising that it often seems to be the most primitive or simple. Its tone and rhythm is both a precursor of thought and an intimation of a reality which thought cannot penetrate. It symbolizes the accused's need to reveal his innermost nature and thus release the profound innate wisdom that his reasoning faculty does not comprehend or understand.

The persistent voice is endowed with a humility, honesty and humor which in its hearing and recognition can bring to realization the potential harmony of the vibrating voices of our worlds and thus aid the potential of a humane and gentle offering. It has the ability to penetrate the sounds of contending voices that otherwise are prone to conceal the "truth" of things. The unity of existence which the consistent/inconsistent voice constantly breaks up and reassembles, and from which the resistant voice seeks replenishment, peace and inspiration, is contained and thus restored in the persistent voice demanding as it does, freedom and respect. But it can be overpowered by the other sounds. Without its harmony the self is condemned -- unknown and unrecognizable in its fragmentation and distortions, its parts unanchored through lack of integrity -- pulling it into a violent war of discord on the "edge" of existence. For even in denial and "ignore-ance," it persists in giving sound to both the "truth" and mystery of self.

The accused tries to drown out and turn deaf ears on this voice -- the voice of the spontaneous, unencumbered self. But it is persevering and stubborn, especially in the face of opposition and interference, and in its refusal to relent can revolt in violence against the stifling sounds of reductionism, becoming desperate and urgent in its plea.

The voice of persistence is the "selfish voice" -- the "life force." It cries out to "be" in its inevitable sound. It is both simple and complicated, basic and mysterious. It is the voice of identity, individuality, uniqueness. In a sense, it is the purest voice but also the most vulnerable to interruption, precariously asking for acceptance while at greatest jeopardy of being rejected.

It is the voice that we are born with -- speechless as we are at birth. It makes its sound and is retained under the layers of our experiences, thoughts and feelings -- behind the fabrications that signify our adjustments and maladjustments. It is our voice of continuity -- the canvass of life's tapestry, opened or hidden in the pictures that we weave. It can be lost early on as we try to conform to a world preordaining our relations. To compromise with "life," choosing instead survival/functioning, requires the sacrifice of spontaneity. It becomes necessary to apologize for those impulses and senses that do not meet the expectations we hear sounding in our world.

The persistent voice is our original voice, our foundation, and thus the one beneath the layers. It is the least discernible -- non-conforming as it is to our determinations of "civilized" and "uncivilized" modes and methods of coping, surviving and functioning, for it represents more. It is love: of self and others . . . of life. It is our beginning upon which we meet and build our world -- our existence, and it can be heard or ignored in the hazards. It is this voice that distinguishes us -- gives us autonomy in our conformity and in our escapes. It holds onto life. It breathes without permission, persisting in its sounds even when it is not heard. It is what holds us to our lives and to universal life. It comprises the abstract and the concrete, the physical and the spiritual, the secular and the sacred. It is our past, present, and future intertwined, the tie of the known and the unknown. It is both the blank canvass and the final tapestry -- both of which we cannot see in their simplicity and in their intricacy. It holds the threads of our life story. It is the mystery of our entrance and the mystery of our exits as we flow within the stream of humankind's existence.

Spontaneity is neither an individual gift nor something an individual develops, but one of man's basic attributes. Man's fundamental nature predisposes him to "release himself -- to create himself." We announce our self in our persistent voice in ways far beyond any grammar, pushing a life whose language needs to be heard in its freshness and originality. The persistent voice is most easily obscured by contending voices within and without, and thus the most difficult to decipher in its purity. It is the centre of being in many ways -- a centre which provides a pivot for balance. If lost, there is no pivot, only edges for the self to circle and spin around. False controls need to be imposed where there is no core from which to spring naturally and spontaneously.

In the accused's sense of his own imbalance he claims: "I was not *self-ish* enough." "Self" is defined in the dictionary as the identity, character, and essential qualities of any person; one's own person as distinct from all others. "Ish" as the suffix gives function and form to "self" and means: "like or characteristic of; tending to, verging on." Thus one can recognize an accuracy in the accused's statement if one interprets that he denied the sound of his persistent voice and its distinctive qualities -- its humanness and "im-perfections" -- such that this voice was ultimately lost rather than found in his conversations, internal and external.

The Sounds of Confusion

The accused, like the rest of us, is torn by various desires competing within himself. He is searching for a synchrony and synthesis in his own life story. The elements do not coalesce or unify into a form that he can identify or recognize. In my attempt at the art of hermeneutic writing contained within this chapter, I have challenged myself to synthesize some of the components. The sign of a successful synthesis is a unified and unique poetic, plain for all to recognize. So it is that a successful written interpretation can seem to the reader to be full of indefinably familiar things -- and at the same time be invested with a power of "understanding" that is beyond the daily round. The process by which such a unity is achieved is only temporal and tentative, reminding all of its never-endingness and incompleteness. It is a symbolic representation and can only imply the process by which the accused is forging such a journey into unity, a process which is the most profound and most exalted of man's life struggles.

His story speaks to us of our potential -- constructive and destructive; our sensitivities and our insensitivities; our power and our vulnerability; the force of our principles over our instincts and emotions, and the force of our instincts and emotions over our principles; our tendency to scheme our lives according to mechanics, and our tendency to defy our schemes. I have tried to capture this story through three of the multitude of "voices" that reveal our capacity to speak with and without words, our ability to say much but not listen or be heard.

The question pursued in this study -- *What is the experience of spousal homicide and its aftermath as lived by the accused?* -- pressed itself throughout. The experience of spousal homicide and its aftermath is an experience of trying to comprehend the incomprehensible, to reconcile the irreconcilable, to believe the unbelievable, and to think the unthinkable. It stirs from its own abhorrence of confusion. It is the creation of confusion upon confusion. It is the labour to understand -- a labour of love and hate entwined. Part of the process is to challenge the process. In the untangling is the tangling, in the unravelling is the ravelling, and there is growing disquiet in the rising judgements of others, self, and life. Pieces are found, sawed and linked together. The picture tentatively regarded. The appraisal made: surreal, macabre . . . inevitable.

The accused disclosed the experience as one of searching for an answer out of confusion. But the search itself creates its own confusion. The ceaseless hours of contemplation illuminate rather than relieve the confusion, turning a treadmill of recursive thoughts. Some thoughts open into hopeful exploration while others signal danger -- fraught with potential disruption to his precarious "tottering on the edge."

The experience is one of unrelenting emotion -- its meeting, its distortion, and its denial. It is one of self-assessment. Entangled within the over-riding negative self-appraisals are threads of positive worth. However, recognition of such does not necessarily bring forth relief or satisfaction but rather regret and alienation from others, from one's context: historical, present, and future; and from one's self-image -- bringing out the ironies between then and now, wishful thinking and the "facts."

The aftermath is a struggle to assess "intent" versus "non-intent:" to find the rational in the irrational and to then deal with the futility of that effort. It is finding oneself alienated from one's family and peers -- one's taken-for-granted world. It is a sense of being dismissed and rejected as a person, highlighting the eradicating nature of a single episode on the wholeness of a life. It reveals the investment of trying to meet expectations and the surface quality of that investment as it crumbles, only to be resurrected in self-defense. It is finding oneself in a new environment yet retaining threads of the past within it. It is being called upon to adjust to circumstances that one has an abhorrence for, to that which one has come to interpret as an abandonment of self-dignity. It is the highlighting of stifled potential -- in the deceased and in the accused. It is the sense that tomorrows are empty of contributive potential. It is the search for solution -- a living dialogue with death that began before the event and continues in the aftermath, potentially adding to its toll. It becomes another message of the pain and torture that has become life experience. It aims to find explanation that will satisfy and unify judgements: legal, social, family . . . and self. It is a struggle to remember that which one cannot remember, does not want to remember. It is a struggle to find the "reality" in that which one does not want to find "real." It is trying to live with the stranger that has been the accused's lifelong companion: himself.

Thoughts and feelings about people and incidents, past and present, rise and fall in the aftermath. They recur throughout at various levels, sparked by various associations. The accused's process is a searching through the mixture of internal and external sounds and meanings that he has come to discover and to hear. He recounts and reflects upon himself as an intelligent man, fatherless child, breadwinner, husband, and father. He looks upon his actions, his way of living, his principles, his successes and his failures. He speaks of his image -- his projected image and his internal image. He reveals the varying depths of his awareness of others, of self and of his relationship with his world. He exposes the feelings within himself towards others: anger, caring, fear, loving, guilt, kindness, warmth, and distrust . . . and from others towards himself: hatred, contempt, revulsion, threat, misunderstanding, begrudging respect, apathy, rejection. . . . Overall, the experience is surreal in "Nowhere Land," "Never-Never-Land."

The accused, like the rest of us, looks for his needs to be recognized, a place and time to "be." Of this he spent his life being denied and denying -- thus denying life and his being. He describes his early childhood experience of thinking that his time and place had come to "be" son to his father. He built an expectation and calculated its arrival. He took precautions: he asked his mother. He scheduled his trip on the train. He describes his calculations regarding his "place" to be as a professional. He spent his lifetime building his career. He describes the stress and tensions that he underwent at work calculating the fiscal lives of his clients -- more and more structure, less and less time for laughter and spontaneity. . . . He was trapped in his rational approach to life, the systems and institutions of his existence.

His father never had the right time for him. He describes that, in his relationship with his wife, she would present him with a problem but it would not be the right time. The accused would ask to be "left alone," so "I can think this through." He thought he could deal with "life" at the right time but for the "time being" he chose to withdraw through sleep or alcohol. On the night of the incident he did not recognize the need in his wife or within himself. He curtailed his spontaneity -- fixed on his intent to get to bed. He ponders "the strength that it must take to deliberately pull the trigger." He can understand deliberation, calculation. He "lived [his] life that way." He cannot recall that which he does not process or deliberate cognitively. It is the rational action that distinguishes his "being." The spontaneous self that emerged for him was an animal -- the animal caged in his lifetime -- emerging in the life and death of a moment.

His life has no laughter. Laughter is the spontaneous release of emotion. The denial of laughter and humor emerges as sour cynicism and vicious impulsion. The action of the event would seem to have occurred without deliberation or forethought . . . therefore it was not part of him.

He thought he could find his "place" through ascent -- at the top rung of the ladder -- and when he stumbled on his climb -- he thought he could find his "place" at the bottom -- flush himself down the toilet and join the sewage of mankind. He now seeks his place in the sewage -- in "resignation" of his positions and of his life. He learned to calculate early on when to approach for affection and attention. With that he was familiar. He thought he knew the formula. He continues to calculate his time -- the time it will take to live or die again: suicide is positive if it is enacted out of strength and deliberation.

It is not the ability to kill that hurts so much and is so threatening, but our inability to bring back life -- to restore that which we lose, to undo the done. But if one could truly predict consequences one would have to stand still. We look in the mirror and can see a world of ourselves. We look at the world and can see the mirror of ourselves. Our world becomes our mirror, our mirror becomes ourselves. And ourselves become the world and mirrors of our "being." Reflections upon reflections spinning into "wonderland." Incidences and co-incidences reflect upon each other -- bringing forth simultaneous clarity and distortion, circles within circles. We come so close that we cannot see. The accused acknowledges that from the outside he can see, but from the inside he is blind. Life is a whole of coincidences.

The sound of contending voices in need of recognition explain the confusion that characterizes the experience of spousal homicide and its aftermath. There is no integrity or harmony in their chorus. Their vital messages are not to be heard and therefore there can be no ameliorating response. The "consistent/inconsistent" voice pleads for order, the "resistant" voice pleads for rest and protection, and the "persistent" voice pleads for motion and truth. And, so it is, that there is contained within its sound -- neither intent nor non-intent. This is the sound that the accused listens for so avidly. In the clamor of confusion all that can be heard are tones of chaos, fatigue, and stagnation -- a concert of death. Yet the only way that the concert is heard is in being alive. Movement towards death is not our inevitability. It is rather the process of life itself that is inevitable.

Caring comes through opening and offering ourselves to life. Understanding comes through acknowledgement and respect of our mystery rather than through search of its solution. For the accused his experience is one of "no one cares" -- "no one tries to understand." He is not presumed innocent. In the aftermath he hears a recital of riddles, dismissals, and accusations. He asks: "Where does your own innocence take you?" His question searches for the answer in the hearing of "not guilty."

We may try to know and understand ourselves in life by claiming what "we are not" rather than hearing and discovering what "we are." But in its consistency/inconsistency, resistance and persistence -- life can prove us wrong. For what we are not is empty and nothing, and what we are is everything. Our being is inevitable in its insistence whether it "be" through survival, functioning or living. Thus, I have come to appreciate the "animal" in the accused, and in all of us, as the renunciation -- the "dis-solution" -- of the mystery of ourselves as we struggle to confirm what we prefer to think we are not, rather than risking discovery of what we are and letting ourselves "be" in our solitude and in our relationships. It is in the being of what we are that is the revelation and proclamation of our essential innocence.

The Sounds of Unison

We are born entwined in history and then participate in history -- a social world -- and live so much of our lives trying to disentangle who we are as individuals. The accused referred to his need to engage in the hermeneutic encounters of this journey -- to bring his experience to speech. In recognizing this need he reveals to himself some hope -- a desire for and purpose in being granted an understanding -- a unison of understanding within and between his self-understanding and others' understanding.

A living relation between the accused and ourselves is not something that can merely be assumed on the basis that we share common biological characteristics as human beings. For that which connects human beings to and distinguishes them from other creatures is not only the biological, physiological features but also the spirit and potential of "humanness." As human beings we are constantly testing out the world in which we find ourselves to see if that world is receptive -- if what it is that we encounter in our world resonates with our fore-knowledge of what it is that we require to be ourselves. To see how we ourselves are. But we can compromise in our testing -- accepting a disguise of resonation, making assumptions, becoming numb in our perceptions, eventually frozen in our "taken-for-grantedness." So, it is incumbent upon us to be sensitive to the world we share, alert to one another and ourselves, and to retain our attentiveness to events in life.

As we look towards others to trust us, we look towards others to trust. If the world becomes inhospitable, "running away" becomes the action -- a search for some other "life." And that may bring us to a life of death. The search for perfection and for answers -- is a search for an escape from the nuances of life. It is to search for the end -- where there is nothing left to find and nothing more to hurt -- a place to lose our "self."

This means that genuine relations between ourselves, offenders and non-offenders, is not something that non-offenders can claim over offenders in any a priori way by virtue of self-righteous license. Rather mutual authority is that which a person grants to another when he or she discerns that what is required for human fulfillment can be disclosed in relationship.

Genuine relations between people are not preeminently matters to be conceptualized in belief systems or theoretical ideals, but rather they are lived and can only live within a particular way or manner that has been established in our person to person experience. Such a way is not just adopting diplomacy or a certain posture in relations, but rather it must mean a radical self-reflective attitude which dares to be for another person what other people must be for oneself -- that is one who stands open and receptive to the language and experience of being in this world. A relation of genuine human vitality between offender and non-offender can occur when the experience and inexperience of the offender meshes in dialogue with the inexperience and experience of the non-offender. When two persons dialogically come to this meeting point, they can share their humanness. This sense of meeting accounts for the profound satisfaction that can come out of our encounters. For when we can genuinely meet each other, what has occurred is the giving of a "fair hearing" to that which has been held out for us in life's journey and to that onto which we hold. Though perhaps painful and uncomfortable, it can help us to find new ways and new tracks to follow. When assent is given there is a sense of being granted a moment, a space in the track, which is in turn an affirmation that there indeed is a way. Thus it is that when person and person truly meet, we are granted our lives.

Such a moment is not easily arrived at. It is not just a matter of instinct, because it has to do with discerning what is good, right, and true which, in turn, is linked with questions concerning the constitution of genuine originality, and true creativity. For the response-ability of any human life is not just to be human in some vague, liberal, generic sense, but to be truly this human being or that. . . . It is to hear the voices of one's true calling which means engaging in a deep reflection on how one has come to be as one is, and to then freely choose to be "self-ish." It means to give assent to one's own particular calling as truly one's own. This is the primordial struggle of each of us. It is a struggle always emergent in the context of a situation, a place and a set of relations.

It is the inevitability of life's process that to the innocence of childhood is added the act of will in adulthood. The world is an unknown, shared by all, into which and by which we meet ourselves day by day, learning with each encounter who we are in this awesome universe. Innocence opens us to and shows us, while guilt and fear impoverish our visions. However, in our openness and will we can hear that the life of a person, even in the torment of guilt, contains the innocence of discovery that life cannot always be trusted to reveal that which we hope to discover. It is in this disillusionment that there is still room to trust again.

The lessons that emerge in our openness to be open to the livingness of others are never finished. What is learned in living with one's mistakes and with death is the discernment of how living can go on, a learning of what is required for a genuine human discourse. If one stands to watch a train at a crossroad, sooner or later, one cannot distinguish if it is the train or oneself that is in motion.

Thus it is that what is presented as a "conclusion" to a study such as this could never be, in the conventional manner, a list of summary findings. Rather, what can be issued is an invitation and a challenge to enter into a theorizing about spousal homicide and its aftermath which gives full consideration to the vital nature of the event. What is called for is a theorizing not in the contemporary scientific sense of theory construction designed to unify subjects of investigation in order to dominate and control them. To theorize about spousal murder and its aftermath involves in a very real sense a sharing of life with those who have experienced this event. Because it is in that intimacy of a genuine sharing of the world with one another that the humanness of our nature can be opened. For as we trust in our openness we can open the trust of others to be what they truly are. To share a world is not to participate in private subjective ways, isolated and alone together, but rather to draw ourselves out of ourselves and to find ourselves in our contact with life's experiences. To describe this study as hermeneutic, then, neither means to point to the offender alone as the investigated, nor to the non-offender alone as the investigator, but to weave through and around that which both are about in life together -- all in an effort to disclose that which forever remains a mystery, but without which we cannot live.

Back to Beginnings

The creative life explorer who looks back on her curious travels will sooner or later ask: Why was it so important that I took this particular journey? What made it seem so absolutely necessary, so that every other daily activity, by comparison, was of lesser significance? And why was the searching impulse never satisfied? Why must I begin anew?

To the first question -- the need to explore -- the answer is always the same: self-expansion and self-expression; the basic need to unleash one's creative urges and to be open to one's deepest feelings about life. But why is the adventure never done? Why must one always look deeper into extrinsic landscapes and foreign territories? The reason for the compulsion to renewed exploration and creativity, it seems is that each journey brings with it an element of self-discovery. One must explore and create meanings from the explorations in order to know oneself, and since self-knowledge is a never-ending search, each junket is only a part answer to the question: "Who am I?" and brings with it the need to go on to other and different part-answers.

As this last chapter circles back to its beginnings, so too does the final legal judgement. The accused's appeal to the Supreme Court of Canada has been denied. And thus the accused is left with no denying that the potential of his track "inevitability" lies within the court of his own "being" as life spirals on. . . .

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APPENDIX A

Consent to Participate

I, ________________________________, consent to participate in interviews with Sheila Anne Davidson, a graduate student in the Department of Educational Psychology, at the University of Alberta.

I understand that she is engaged in a study which deals with the question: "What does the experience of spousal homicide and its aftermath mean to man who has experienced this event?" The purpose of the study has been fully explained to me.

I further understand that the information given by me is to be used for research purposes and that the results of the research are intended to be published in the form of a thesis and/or articles. Such publications would be available to other researchers as well as other members of the public. I therefore understand that:

(1) All identifying information will be removed to ensure as much anonymity as possible.

(2) Only information which is necessary to the satisfatory conclusion of the thesis will be used.

(3) That the researcher will draw to my attention any information that may be hurtful to me in the future (whether it be parole or court proceedings or statements made by me that may be considered defamatory) and discuss inclusion of same with me.

(4) That the interviews will be tape recorded, but that all such tapes and any written notes will be destroyed when the research project is complete.

(5) That, if at any time I wish to withdraw from this research study prior to its completion, I am free to do so and no information that I have provided will be utilized in any manner.

Dated at the ______________,in the Province of____________, this __ day of A.D. 19__ .